

STATE OF MINNESOTA

SEVENTY-THIRD SESSION - 1984

SEVENTY-NINTH DAY

SAINT PAUL, MINNESOTA, MONDAY, APRIL 16, 1984

The House of Representatives convened at 10:00 a.m. and was called to order by Harry A. Sieben, Jr., Speaker of the House.

Prayer was offered by Rabbi Stephen H. Pinsky, Temple Israel, Minneapolis, Minnesota.

The roll was called and the following members were present:

Anderson, B.	Evans	Kostohryz	Ottis	Skoglund
Anderson, G.	Findlay	Krueger	Pauly	Solberg
Anderson, R.	Fjoslien	Kvam	Peterson	Sparby
Battaglia	Forsythe	Larsen	Piepho	Stadum
Beard	Frerichs	Levi	Piper	Staten
Begich	Graba	Long	Price	Sviggum
Bennett	Greenfield	Ludeman	Quinn	Swanson
Bergstrom	Gruenes	Mann	Quist	Thiede
Blatz	Gustafson	Marsh	Redalen	Tomlinson
Boo	Gutknecht	McDonald	Reif	Tunheim
Brandl	Halberg	McEachern	Rice	Uphus
Brinkman	Haukoos	McKasy	Riveness	Valan
Carlson, D.	Heap	Metzen	Rodosovich	Valento
Carlson, L.	Heinitz	Minne	Rodriguez, C.	Vanasek
Clark, J.	Himle	Munger	Rodriguez, F.	Vellenga
Clark, K.	Hoffman	Murphy	Rose	Voss
Clawson	Hokr	Nelson, D.	St. Onge	Waltman
Cohen	Jacobs	Nelson, K.	Sarna	Welch
Coleman	Jennings	Neuenschwander	Schafer	Welker
Dempsey	Jensen	Norton	Scheid	Welle
DenOuden	Johnson	O'Connor	Schreiber	Wenzel
Dimler	Kahn	Ogren	Seaberg	Wigley
Eken	Kalis	Olsen	Segal	Wynia
Elioff	Kelly	Omann	Shea	Zaffke
Ellingson	Knickerbocker	Onnen	Sherman	Speaker Sieben
Erickson	Knuth	Osthoff	Simoneau	

A quorum was present.

Hoberg was excused.

Bishop, Schoenfeld and Shaver were excused until 10:45 a.m.
Burger was excused until 1:30 p.m.

The Chief Clerk proceeded to read the Journals of the preceding day. Osthoff moved that further reading of the Journals be dispensed with and that the Journals be approved as corrected by the Chief Clerk. The motion prevailed.

REPORTS OF CHIEF CLERK

Pursuant to Rules of the House, printed copies of H. F. Nos. 1069, 1303, 1711, 2021, 2134, 2189, 49, 100, 361, 688, 820, 1237, 1264, 1315, 1373, 1376, 1402, 1577, 1588, 1678, 1680, 1689, 1806, 1837, 1842, 1857, 1900, 1920, 1964, 2006, 2039, 2051, 2148, 2183, 2188, 322, 1427, 1769, 1796 1853, 2157, 966, 1453, 1619, 1656, 1707, 1875 and 1966 and S. F. Nos. 1452, 1330, 1258, 1849, 1891, 1986, 1762, 2168, 1760, 1562, 1526, 746 and 1511 have been placed in the members' files.

S. F. No. 1473 and H. F. No. 1902, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

SUSPENSION OF RULES

Ellingson moved that the rules be so far suspended that S. F. No. 1473 be substituted for H. F. No. 1902 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 1905 and H. F. No. 2198, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

SUSPENSION OF RULES

Nelson, D., moved that the rules be so far suspended that S. F. No. 1905 be substituted for H. F. No. 2198 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 1330 and H. F. No. 1837, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

SUSPENSION OF RULES

Olsen moved that the rules be so far suspended that S. F. No. 1330 be substituted for H. F. No. 1837 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 1986 and H. F. No. 2160, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

SUSPENSION OF RULES

Simoneau moved that the rules be so far suspended that S. F. No. 1986 be substituted for H. F. No. 2160 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 1452 and H. F. No. 1964, which had been referred to the Chief Clerk for comparison, were examined and found to be identical.

Ellingson moved that S. F. No. 1452 be substituted for H. F. No. 1964 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 2168 and H. F. No. 2172, which had been referred to the Chief Clerk for comparison, were examined and found to be identical.

Wenzel moved that S. F. No. 2168 be substituted for H. F. No. 2172 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 1351 and H. F. No. 1884, which had been referred to the Chief Clerk for comparison, were examined and found to be identical.

Graba moved that S. F. No. 1351 be substituted for H. F. No. 1884 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 1974 and H. F. No. 2151, which had been referred to the Chief Clerk for comparison, were examined and found to be identical.

Norton moved that S. F. No. 1974 be substituted for H. F. No. 2151 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 1762 and H. F. No. 1602, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

SUSPENSION OF RULES

Clark, K., moved that the rules be so far suspended that S. F. No. 1762 be substituted for H. F. No. 1602 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 1258 and H. F. No. 1292, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

SUSPENSION OF RULES

Clark, K., moved that the rules be so far suspended that S. F. No. 1258 be substituted for H. F. No. 1292 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 1642 and H. F. No. 1638, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

SUSPENSION OF RULES

Peterson moved that the rules be so far suspended that S. F. No. 1642 be substituted for H. F. No. 1638 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 1849 and H. F. No. 2245, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

SUSPENSION OF RULES

Vanasek moved that the rules be so far suspended that S. F. No. 1849 be substituted for H. F. No. 2245 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 1891 and H. F. No. 1987, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

SUSPENSION OF RULES

Vanasek moved that the rules be so far suspended that S. F. No. 1891 be substituted for H. F. No. 1987 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 1628 and H. F. No. 1967, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

SUSPENSION OF RULES

Vanasek moved that the rules be so far suspended that S. F. No. 1628 be substituted for H. F. No. 1967 and that the House File be indefinitely postponed. The motion prevailed.

SECOND READING OF SENATE BILLS

S. F. Nos. 1473, 1905, 1330, 1986, 1452, 2168, 1351, 1974, 1762, 1258, 1642, 1849, 1891 and 1628 were read for the second time.

HOUSE ADVISORIES

The following House Advisory was introduced:

Gutknecht, Neuenschwander, Schoenfeld, Larsen and Hokr introduced:

H. A. No. 62, A proposal to study propriety of sports franchises excluding areas from viewing telecasts of games.

The advisory was referred to the Committee on Regulated Industries.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned:

H. F. No. 1010, A bill for an act relating to the city of Thief River Falls; changing restrictions on filing and recording certain conveyances.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce that the Senate accedes to the request of the House for the appointment of a Conference Committee on the amendments adopted by the Senate to the following House File:

H. F. No. 1405, A bill for an act relating to state monuments; adding the "Monument to the Living" in Ramsey County to the list of state monuments; amending Minnesota Statutes 1982, section 138.585, by adding a subdivision.

The Senate has appointed as such committee Messrs. Belanger, Merriam and Moe, D. M.

Said House File is herewith returned to the House.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce that the Senate accedes to the request of the House for the appointment of a Conference Committee on the amendments adopted by the Senate to the following House File:

H. F. No. 1516, A bill for an act relating to local government; authorizing the levy of special assessments or service charges for fire protection systems; amending Minnesota Statutes 1982, sections 429.011, by adding a subdivision; 429.021, subdivision 1; 429.031, subdivision 3; 429.091, subdivisions 2 and 3; and 429.101, subdivision 1.

The Senate has appointed as such committee Mr. Pogemiller, Ms. Olson and Mr. Samuelson.

Said House File is herewith returned to the House.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce that the Senate accedes to the request of the House for the appointment of a Conference Committee on the amendments adopted by the Senate to the following House File:

H. F. No. 2016, A bill for an act relating to taxation; repealing the income tax surtax; modifying the designation of enterprise zones; increasing the funding for enterprise zones; modifying the definition of political party under the political contribution credit; providing an income tax credit for conservation tillage farm equipment; eliminating racehorses from the farm loss modification; permitting certain net operating loss carrybacks; permitting deduction of certain foreign taxes paid; allowing deduction of foreign dividends and royalties; modifying the definition of apportionment factors; restricting tax exemptions for redevelopment companies; changing the computation of the school agricultural credit retroactive to taxes payable in 1984 in certain cases; modifying the maximum targeting credit for payable 1984; providing a targeting credit for payable 1985; changing computation of certain local government aid payments; directing the department of revenue to issue guidelines on certain topics; instructing the commissioner to determine production value ratio; authorizing certain additional levies in counties; modifying the use of the sales ratio study as evidence in court; changing the methodology of the sales ratio study; changing certain property tax appeal procedures; imposing requirements for disaster relief credits; increasing agricultural aid to certain property; modifying the homestead credit provisions for certain property and providing refunds; changing the classification ratio maximum value on commercial and industrial property; limiting the property tax exemption for certain projects; repealing the exemption for franchise and special taxes and fees for certain projects; modifying the property tax refund with respect to certain claims; repealing rent capitalization; changing the estate tax; allowing the commissioner more discretion in valuing railroad property; providing for equalization of railroad valuations; authorizing the Ramsey-Washington metro water-

shed district to establish a maintenance and repair fund and levy taxes; creating the Croft historical park board; authorizing the board to levy taxes; authorizing the city of Cloquet to levy taxes for certain transit expenses; authorizing the conveyance of certain land in St. Louis County; clarifying the application of the mortgage registry tax to revolving lines of credit; changing the procedures for refunds of the motor fuels tax; reducing the sales tax rate for purchases of capital equipment and manufactured housing; exempting agricultural electricity, residential hot water district heating, and used manufactured housing from the sales tax; exempting certain sales by nonprofit organizations from the sales tax; exempting residential district heating from the St. Paul franchise tax; repealing the accelerated payment of sales tax; transferring motor vehicle excise tax proceeds to the highway user and transit funds; providing for the priority of certain liens securing revolving lines of credit; increasing the interest rate on state tax refunds; appropriating money; amending Minnesota Statutes 1982, sections 10A.31, subdivisions 3a and 5; 124.2131, subdivision 1; 270.80, subdivision 4; 270.84, subdivision 1; 270.86; 270.87; 270A.07, subdivision 5; 271.01, subdivision 5; 271.06, subdivision 6; 271.12; 273.123, by adding subdivisions; 273.13, subdivisions 9 and 19; 287.05, by adding subdivisions; 290.01, subdivision 20e; 290.06, by adding a subdivision; 290.19, subdivision 1a; 290.21, by adding a subdivision; 290.92, subdivision 11; 290.936; 290A.04, by adding a subdivision; 290A.07, subdivision 2a; 291.075; 291.09, subdivision 1a; 291.132, subdivision 2; 291.18; 291.215, subdivision 1; 294.09, subdivision 1; 296.18, subdivisions 3 and 8; 297A.01, by adding subdivisions; 297A.15, by adding a subdivision; 297B.035, subdivision 3; 298.09, subdivision 4; 299.05; 462.651, subdivision 1, and by adding a subdivision; and 477A.13; Minnesota Statutes 1983 Supplement, sections 16A.15, subdivision 6; 124.2137, subdivision 1; 273.11, subdivision 1; 273.13, subdivisions 6 and 21; 273.1314, subdivisions 6, 8, and 15; 278.01, subdivision 1; 278.05, subdivision 4; 290.06, subdivision 11; 290.09, subdivision 29; 290.18, subdivision 2; 290.21, subdivision 4; 290.50, subdivision 1; 290.92, subdivision 13; 290.93, subdivision 9; 290A.03, subdivisions 8 and 13; 290A.04, subdivision 2e, and by adding a subdivision; 290A.05; 290A.07, subdivision 3; 291.005, subdivision 1; 291.03, subdivision 1; 291.09, subdivision 3a; 296.14, subdivision 4; 296.18, subdivision 1; 297A.02, subdivision 2, and by adding a subdivision; 297A.14; 297A.25, subdivision 1; 297A.27, subdivision 1; 297A.35, subdivision 1; 297B.09; and 477A.013, subdivision 1; Laws 1979, chapter 189, section 2; proposing new law coded in Minnesota Statutes, chapters 270, 507 and 508; repealing Minnesota Statutes 1982, sections 270.90; 291.015; 291.03, subdivisions 3, 4, 5, 6, and 7; 291.05; 291.051; 291.06; 291.065; 291.07; 291.08; 291.09, subdivision 5; 291.111; and 462.651, subdivision 2; Minnesota Statutes 1983 Supplement, sections 273.11, subdivision 7; 290.06, subdivisions 2e and 13; 297A.275; and 462.651, subdivision 3; and Laws 1983, chapter 342, article 1, section 8.

The Senate has appointed as such committee Messrs. Johnson, D. J., and Peterson, C. C.; Ms. Berglin; Messrs. Novak and Bernhagen.

Said House File is herewith returned to the House.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce that the Senate accedes to the request of the House for the appointment of a Conference Committee on the amendments adopted by the Senate to the following House File:

H. F. No. 2314, A bill for an act relating to capital improvements; authorizing spending to acquire and to better public land and buildings and other public improvements of a capital nature with certain conditions; reducing and canceling certain appropriations; authorizing issuance of state bonds; appropriating money; amending Minnesota Statutes 1982, sections 16.72, subdivision 7; 85A.04, subdivision 3; 475A.03, subdivision 1; 475A.05, subdivision 1, and by adding a subdivision; 475A.06, subdivision 7; and Laws 1983, chapter 344, section 6, subdivision 8; repealing Laws 1981, chapter 275; and chapter 334, section 11, subdivision 4; and Laws 1982, chapter 639, section 5.

The Senate has appointed as such committee Messrs. Waldorf, Dicklich, Langseth, Purfeerst and Taylor.

Said House File is herewith returned to the House.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce that the Senate accedes to the request of the House for the appointment of a Conference Committee on the amendments adopted by the Senate to the following House File:

H. F. No. 1814, A bill for an act relating to taxation; clarifying certain property tax credit provisions; providing that amounts to pay certain certificates are a special levy; providing for deduction of taconite aids from levy limit base; simplifying iron ore valuation hearing requirements; altering the process for determining flexible homestead brackets; allowing for the rounding of amounts of special assessments on tax statements; changing the date for the issuance of warrants for delinquent personal property taxes; providing for additional administrative procedures for cigarette tax collection; requiring annual payment of occupation taxes; changing payment method for production taxes; adopting certain procedures relating to liquor

tax collections; authorizing county treasurers to charge for dishonored checks; amending Minnesota Statutes 1982, sections 273.1104, subdivision 2; 277.03; 298.09, subdivision 2; 298.27; 298.282, subdivision 3; 340.601; Minnesota Statutes 1983 Supplement, sections 124.2137, subdivision 1; 273.13, subdivision 7; 273.1311; 273.1315; 275.50, subdivision 5; 275.51, subdivision 3i; and 276.04; proposing new law coded in Minnesota Statutes, chapters 297; 340; and 385; repealing Minnesota Statutes 1982, sections 298.045; 298.046; 298.047; and 298.048.

The Senate has appointed as such committee Messrs. Johnson, D. J.; Vega and Berg.

Said House File is herewith returned to the House.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendment the concurrence of the House is respectfully requested:

H. F. No. 2047; A bill for an act relating to transportation; authorizing the expenditure of county turnback account funds and state transportation bond funds for bridges ten feet or more in length following replacement; amending Minnesota Statutes 1982, section 174.50, subdivision 7; and Minnesota Statutes 1983 Supplement, section 161.082, subdivision 2a.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Anderson, B., moved that the House concur in the Senate amendments to H. F. No. 2047 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 2047, A bill for an act relating to transportation; authorizing the expenditure of county turnback account funds and state transportation bond funds for bridges ten feet or more in length following replacement; designating a bridge as the Veterans Memorial Bridge; amending Minnesota Statutes 1982, sections 161.14, by adding a subdivision; 174.50, subdivision 7; and Minnesota Statutes 1983 Supplement, section 161.082, subdivision 2a.

The bill was read for the third time, as amended by the Senate, and placed upon its repassage.

The question was taken on the repassage of the bill and the roll was called. There were 112 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Anderson, B.	Evans	Krueger	Otis	Sparby
Anderson, C.	Findlay	Kvam	Pauly	Stadum
Battaglia	Fjoslien	Larsen	Peterson	Sviggum
Beard	Frerichs	Levi	Piepho	Swanson
Begich	Greenfield	Long	Piper	Thiede
Bennett	Gruenes	Ludeman	Price	Tunheim
Bergstrom	Gustafson	Mann	Quinn	Uphus
Blatz	Gutknecht	Marsh	Quist	Valan
Boo	Halberg	McDonald	Riveness	Valento
Brandt	Heap	McEachern	Rodosovich	Vanasek
Brinkman	Heinitz	McKasy	Rodriguez, C.	Vellgena
Carlson, D.	Himle	Metzen	Rodriguez, F.	Waltman
Carlson, L.	Hoffman	Minne	Rose	Welch
Clark, J.	Hokr	Munger	St. Onge	Welker
Clark, K.	Jacobs	Murphy	Schafer	Welle
Cohen	Jennings	Nelson, D.	Scheid	Wenzel
Coleman	Jensen	Neuenschwander	Schreiber	Wigley
Dempsey	Johnson	Norton	Segal	Wynia
DenOuden	Kahn	Ogren	Shea	Zaffke
Dimler	Kelly	Olsen	Sherman	Speaker Sieben
Eken	Knickerbocker	Omamm	Simoneau	
Elioff	Knuth	Onnen	Skoglund	
Ellingson	Kostohryz	Osthoff	Solberg	

The bill was repassed, as amended by the Senate, and its title agreed to.

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendment the concurrence of the House is respectfully requested:

H. F. No. 2317, A bill for an act relating to the organization and operation of state government; clarifying, providing for deficiencies in, and supplementing appropriations for the expenses of state government with certain conditions; creating and modifying agencies and functions; fixing and limiting fees; requiring studies and reports; appropriating money; amending Minnesota Statutes 1982, sections 3.099, subdivisions 2 and 3; 3.30, subdivision 2; 3.3005; 10.12; 10.14; 10.15; 11A.08, subdivision 3; 15.0575, subdivision 3; 15.0597, subdivision 1; 16.026, subdivisions 3 and 7; 16.80, subdivision 1; 16A.04, subdivisions 1 and 4; 16A.06; 16A.065; 16A.125, subdivision 6; 16A.13, subdivisions 1 and 2; 16A.131, subdivision 1; 16A.14, subdivision 2; 16A.28; 16A.45; 16A.53; 16A.63; 16A.64, as amended; 16A.65; 16A.66, as amended; 16A.671; 16A.675; 43A.27, by adding a subdivision; 43A.30, by adding a subdivision; 84.085; 84A.53; 84A.54; 84B.03, by adding a subdivision; 94.16; 117.085; 117.195, subdivision 1; 117.232, subdivision 1; 125.031; 136.11, subdivisions 2 and 7; 136.506; 136.55, subdivision 2; 136A.81, subdivision 1; 144.413, subdivision 2; 144.414; 158.07; 158.08; 161.173; 161.174; 168.12, subdivisions 1 and 5; 168.33, subdivision 2; 169.966, subdivision 1a, and by adding a subdivision; 174.22,

subdivisions 5, 10, and 13, and by adding a subdivision; 174.23, subdivisions 2 and 4; 174.24, subdivisions 1, 2, and 5; 174.265, subdivision 3; 179.741, subdivision 2; 214.001, subdivision 2; 214.13, subdivisions 1, 2, 3, and 5; 221.295; 239.10; 241.66, subdivision 2; 245.811; 256E.07, subdivision 1, and by adding subdivisions; 296.13; 299D.03, subdivision 2; 340.11, subdivision 11A; 345.47, subdivision 1, and by adding a subdivision; 345.525; 352.01, subdivision 2A; 359.01; 462A.05, subdivision 20; 473.121, subdivisions 7, 10, 18, 19, and by adding subdivisions; 473.146, subdivisions 3 and 4; 473.164; 473.167, subdivision 1; 473.168, subdivision 2; 473.181, subdivision 3; 473.223; 473.404; 473.405; 473.409; 473.411; 473.416; 473.435; 473.436, by adding a subdivision; 473.445; 473.446, subdivision 2a, and by adding subdivisions; and 473.449; Minnesota Statutes 1983 Supplement, sections 3.3026, subdivision 5; 3.732, subdivision 1; 10A.01, subdivision 18; 15A.081, subdivisions 1, 6, and 7; 16A.125, subdivision 5; 16A.15, subdivision 6; 16A.36; 16A.672; 43A.04, subdivision 8; 85.40, subdivision 5; 85.41, subdivisions 3, 4, and 5; 116J.70, subdivision 2a; 135A.03, subdivisions 1, 3, and 4; 135A.07, subdivision 2; 136.144; 136A.121, subdivision 2; 161.43; 161.44, subdivision 6a; 174.24, subdivision 3; 180.03, subdivision 2; 214.06, subdivision 1; 214.13, subdivision 4; 221.041, by adding a subdivision; 221.071, subdivision 1; 256.01, subdivision 2; 256B.501, subdivision 10; 256D.111, subdivision 2; 256D.112; 268.673, subdivision 5; 268.675; 268.676, subdivisions 1 and 2; 268.677; 268.686; 268.80; 268.81; 298.296, subdivision 1; 357.021, subdivision 2a; 462A.07, subdivision 15; 473.436, subdivision 6; 517.08, subdivision 1c; Laws 1983, chapter 199, section 17, subdivision 2; chapter 258, section 2, subdivision 7; chapter 290, section 172; chapter 293, sections 1; 2, subdivisions 2, 8, and 9; 4, subdivisions 1 and 3; and 6; chapter 301, sections 38, 39, 40, 41, and 42; proposing new law coded in Minnesota Statutes, chapters 13, 16, 16A, 18, 48, 84, 136, 161, 190, 214, 221, 246, 256B, 268, 349, and 473; proposing new law coded as Minnesota Statutes, chapters 16B, 40A, 119, and 494; repealing Minnesota Statutes 1982, sections 10.13; 16A.132; 16A.51; 16A.54; 16A.59; 16A.73; 84.82, subdivision 9; 120.83; 136.11, subdivision 6; 136A.133; 174.03, subdivision 5a; 174.24, subdivisions 3a and 4; 174.265; 174.31; 256E.07, subdivision 3; 473.401; 473.402; 473.403; 473.411, subdivision 1; 473.413, as amended; and 473.451; Minnesota Statutes 1983 Supplement, sections 120.801; 120.802; 120.803; 120.804; 120.805; 120.806; and 120.81; Laws 1983, chapter 289, section 102.

PATRICK E. FLAHAVEN, Secretary of the Senate

Vanasek moved that the House refuse to concur in the Senate amendments to H. F. No. 2317, that the Speaker appoint a Conference Committee of 5 members of the House, and that the House requests that a like committee be appointed by the Senate to confer on the disagreeing votes of the two houses. The motion prevailed.

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendment the concurrence of the House is respectfully requested:

H. F. No. 1819, A bill for an act relating to health; requiring that hearing aid sellers give buyers a right to cancel their purchase; amending Minnesota Statutes 1982, section 145.43, by adding a subdivision; repealing Minnesota Statutes 1982, sections 145.43, subdivision 2; and 145.44.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Segal moved that the House concur in the Senate amendments to H. F. No. 1819 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 1819, A bill for an act relating to health; requiring that hearing aid sellers give buyers a right to cancel their purchase; amending Minnesota Statutes 1982, section 145.43, by adding a subdivision; repealing Minnesota Statutes 1982, sections 145.43, subdivision 2; and 145.44.

The bill was read for the third time, as amended by the Senate, and placed upon its repassage.

The question was taken on the repassage of the bill and the roll was called. There were 103 yeas and 12 nays as follows:

Those who voted in the affirmative were:

Anderson, B.	Ellingson	Kostohryz	Onnen	Simoneau
Anderson, G.	Evans	Krueger	Osthoff	Skoglund
Anderson, R.	Findlay	Kvam	Otis	Solberg
Battaglia	Frerichs	Larsen	Pauly	Sparby
Beard	Greenfield	Levi	Peterson	Staten
Begich	Gruenes	Long	Piepho	Sviggum
Bennett	Gustafson	Mann	Piper	Swanson
Bergstrom	Gutknecht	Marsh	Price	Tomlinson
Blatz	Heap	McDonald	Quinn	Tunheim
Boo	Heinitz	McEachern	Riveness	Uphus
Brandl	Himle	McKasy	Rodosovich	Valan
Brinkman	Hoffman	Metzen	Rodriguez, C.	Valento
Carlson, D.	Hokr	Minne	Rodriguez, F.	Vanasek
Carlson, L.	Jacobs	Munger	Rose	Vellenga
Clark, K.	Jensen	Murphy	St. Onge	Waltman
Clawson	Johnson	Nelson, D.	Sarna	Welch
Cohen	Kahn	Nelson, K.	Scheid	Welle
Coleman	Kalis	Neuenschwander	Schreiber	Wenzel
Dempsey	Kelly	Norton	Segal	Speaker Sieben
Eken	Knickerbocker	Ogren	Shea	
Elioff	Knuth	Olsen	Sherman	

Those who voted in the negative were:

DenOuden	Halberg	Quist	Thiede	Wigley
Dimler	Jennings	Schafer	Welker	Zaffke
Fjoslien	Ludeman			

The bill was repassed, as amended by the Senate, and its title agreed to.

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendment the concurrence of the House is respectfully requested:

H. F. No. 1781, A bill for an act relating to taxes; clarifying the consequences of certain conveyances of tax-forfeited land; amending Minnesota Statutes 1982, section 282.01, subdivision 1.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Coleman moved that the House concur in the Senate amendments to H. F. No. 1781 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 1781, A bill for an act relating to taxes; clarifying the consequences of certain conveyances of tax-forfeited land; amending Minnesota Statutes 1982, section 282.01, subdivision 1.

The bill was read for the third time, as amended by the Senate, and placed upon its repassage.

The question was taken on the repassage of the bill and the roll was called. There were 118 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Anderson, B.	Cohen	Gutknecht	Knickerbocker	Minne
Anderson, G.	Coleman	Halberg	Knuth	Munger
Anderson, R.	Dempsey	Haukoos	Kostohryz	Murphy
Battaglia	DenOuden	Heap	Krueger	Nelson, D.
Beard	Dimler	Heinitz	Kvam	Nelson, K.
Begich	Eken	Himle	Larsen	Neenschwander
Bennett	Elioff	Hoffman	Levi	Norton
Bergstrom	Ellingson	Hokr	Long	O'Connor
Blatz	Erickson	Jacobs	Ludeman	Ogren
Boo	Evans	Jennings	Mann	Olsen
Brandl	Findlay	Jensen	Marsh	Omann
Brinkman	Fjoslien	Johnson	McDonald	Onnen
Carlson, D.	Frerichs	Kahn	McEachern	Osthoff
Carlson, L.	Greenfield	Kalis	McKasy	Otis
Clark, K.	Gruenes	Kelly	Metzen	Pauly

Peterson	Rodriguez, F.	Sherman	Tomlinson	Welker
Piepho	Rose	Simoneau	Tunheim	Welle
Piper	St. Onge	Skoglund	Uphus	Wenzel
Price	Sarna	Solberg	Valan	Wigley
Quinn	Schafer	Sparby	Valento	Wynia
Quist	Scheid	Stadum	Vanasek	Zaffke
Riveness	Schreiber	Sviggum	Vellenga	Speaker Sieben
Rodosovich	Segal	Swanson	Waltman	
Rodriguez, C.	Shea	Thiede	Welch	

The bill was repassed, as amended by the Senate, and its title agreed to.

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendment the concurrence of the House is respectfully requested:

H. F. No. 2150, A bill for an act relating to newspapers; making certain publications legal newspapers; proposing new law coded in Minnesota Statutes, chapter 331.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Waltman moved that the House concur in the Senate amendments to H. F. No. 2150 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 2150, A bill for an act relating to legal newspapers; allowing temporary suspension of publication due to financial difficulties; amending Minnesota Statutes 1982, section 331.02, subdivision 3.

The bill was read for the third time, as amended by the Senate, and placed upon its repassage.

The question was taken on the repassage of the bill the roll was called. There were 122 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Anderson, B.	Brandl	Dempsey	Fjoslien	Haukoos
Anderson, G.	Brinkman	DenOuden	Forsythe	Heap
Anderson, R.	Carlson, D.	Dimler	Frerichs	Heinitz
Battaglia	Carlson, L.	Eken	Graba	Himle
Beard	Clark, J.	Elioff	Greenfield	Hokr
Begich	Clark, K.	Ellingson	Cruenes	Jacobs
Bennett	Clawson	Erickson	Gustafson	Jennings
Blatz	Cohen	Evans	Gutknecht	Jensen
Boo	Coleman	Findlay	Halberg	Johnson

Kahn	McKasy	Pauly	Schreiber	Valan
Kalis	Metzen	Peterson	Seaberg	Valento
Kelly	Minne	Piepho	Segal	Vanasek
Knickerbocker	Munger	Piper	Shea	Vellenga
Knuth	Murphy	Price	Sherman	Waltman
Kostohryz	Nelson, D.	Quinn	Simoneau	Welch
Krueger	Nelson, K.	Quist	Skoglund	Welker
Kvam	Neuenschwander	Riveness	Solberg	Welle
Larsen	Norton	Rodosovich	Sparby	Wenzel
Levi	O'Connor	Rodriguez, C.	Stadum	Wigley
Long	Ogren	Rodriguez, F.	Staten	Wynia
Ludeman	Olsen	Rose	Sviggum	Zaffke
Mann	Omamn	St. Onge	Swanson	Speaker Sieben
Marsh	Onnen	Sarna	Thiede	
McDonald	Osthoff	Schafer	Tunheim	
McEachern	Otis	Scheid	Uphus	

The bill was repassed, as amended by the Senate, and its title agreed to.

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendment the concurrence of the House is respectfully requested:

H. F. No. 1445, A bill for an act relating to crimes; defining aggravated criminal damage to property; amending Minnesota Statutes 1982, section 609.595, subdivision 1.

PATRICK E. FLAHAVERN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Seaberg moved that the House concur in the Senate amendments to H. F. No. 1445 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 1445, A bill for an act relating to crimes; defining aggravated criminal damage to property; amending Minnesota Statutes 1982, section 609.595, subdivision 1.

The bill was read for the third time, as amended by the Senate, and placed upon its repassage.

The question was taken on the repassage of the bill and the roll was called. There were 123 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Anderson, B.	Beard	Blatz	Carlson, D.	Clawson
Anderson, G.	Begich	Boo	Carlson, L.	Cohen
Anderson, R.	Bennett	Brandl	Clark, J.	Coleman
Battaglia	Bergstrom	Brinkman	Clark, K.	Dempsey

DenOuden	Hokr	McKasy	Quinn	Sviggum
Dimler	Jacobs	Metzen	Quist	Swanson
Elioff	Jennings	Miune	Riveness	Thiede
Ellingson	Jensen	Munger	Rodosovich	Tomlinson
Erickson	Johnson	Murphy	Rodriguez, C.	Tunheim
Evans	Kahn	Nelson, D.	Rodriguez, F.	Uphus
Findlay	Kalis	Nelson, K.	St. Onge	Valan
Fjoslien	Kelly	Neuenschwander	Sarna	Valento
Forsythe	Knickerbocker	Norton	Schafer	Vanasek
Frerichs	Knuth	O'Connor	Scheid	Vellenga
Graba	Kostohryz	Ogren	Schreiber	Waltman
Greenfield	Krueger	Olsen	Seaberg	Welch
Gruenes	Kvam	Omann	Segal	Welker
Gustafson	Larsen	Onnen	Shea	Welle
Gutknecht	Levi	Osthoff	Sherman	Wenzel
Halberg	Long	Otis	Simoneau	Wigley
Haukoos	Ludeman	Pauly	Skoglund	Wymia
Heap	Mann	Peterson	Solberg	Zaifke
Heinitz	Marsh	Piepho	Sparby	Speaker Sieben
Himle	McDonald	Piper	Stadum	
Hoffman	McEachern	Price	Staten	

The bill was repassed, as amended by the Senate, and its title agreed to.

Mr. Speaker:

I hereby announce the passage by the Senate of the following Senate Files, herewith transmitted:

S. F. Nos. 1023, 1862, 1883, 1914, 1976 and 2009.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce the passage by the Senate of the following Senate Files, herewith transmitted:

S. F. Nos. 992, 1548, 1575 and 1864.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce the passage by the Senate of the following Senate Files, herewith transmitted:

S. F. Nos. 396 and 1403.

PATRICK E. FLAHAVEN, Secretary of the Senate

FIRST READING OF SENATE BILLS

S. F. No. 1023, A bill for an act relating to probate; adopting provisions of the uniform probate code and clarifying laws relating to intestate succession, spouse's elective share, and omitted

spouses and children; proposing new law coded in Minnesota Statutes, chapter 524; repealing Minnesota Statutes 1982, sections 525.16; 525.17; 525.171; 525.20; 525.201; 525.202; 525.212 to 525.216; Minnesota Statutes 1983 Supplement, sections 525.172; and 525.173.

The bill was read for the first time and referred to the Committee on Judiciary.

S. F. No. 1862, A bill for an act relating to insurance; regulating insurance claims settlement; defining terms; prescribing penalties; providing for the venue for certain injunction proceedings; amending Minnesota Statutes 1982, sections 72A.20, subdivisions 11 and 12, and by adding a subdivision; 72A.23, subdivision 1; and 72A.25, subdivision 2.

The bill was read for the first time.

Vanasek moved that S. F. No. 1862 and H. F. No. 1896, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 1883, A bill for an act relating to occupations and professions; prohibiting evidence of the previous sexual conduct of a patient or client in proceedings concerning unprofessional conduct; proposing new law coded in Minnesota Statutes, chapters 147 and 148.

The bill was read for the first time.

Greenfield moved that S. F. No. 1883 and H. F. No. 2067, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 1914, A bill for an act relating to airports; metropolitan government; requiring reports to pollution control agency concerning noise abatement for the Minneapolis-St. Paul airport; amending Minnesota Statutes 1982, section 473.612.

The bill was read for the first time.

Skoglund moved that S. F. No. 1914 and H. F. No. 1945, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 1976, A bill for an act relating to regulated industries; changing conditions that regulate the telecast of games at metropolitan sports facilities; amending Minnesota Statutes 1982, section 473.581, subdivision 3; repealing Minnesota Statutes 1982, section 473.568.

The bill was read for the first time and referred to the Committee on Regulated Industries.

S. F. No. 2009, A bill for an act relating to state lands; conveying certain lands to the city of Melrose.

The bill was read for the first time and referred to the Committee on Governmental Operations.

S. F. No. 992, A bill for an act relating to welfare; requiring parents of children on probation or parole to pay the costs of foster care; amending Minnesota Statutes 1982, sections 242.19, subdivision 2; and 260.251, subdivision 1.

The bill was read for the first time.

Norton moved that S. F. No. 992 and H. F. No. 1213, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 1548, A bill for an act relating to game and fish; prohibiting taking, possession and transportation of fish in international waters in excess of certain daily limits; regulating enforcement of the laws relating to wild animals; providing for reciprocity with other governments; removing the license surcharge on fish and dark houses; eliminating the discount on walleye buyouts; amending Minnesota Statutes 1982, sections 97.48, subdivision 3; 97.501; Minnesota Statutes 1983 Supplement, sections 97.86, subdivision 1; and 102.26, subdivision 3d.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

S. F. No. 1575, A bill for an act relating to commerce; providing for the computation of interest on mechanics' lien claims; delaying the effective date of a bill carried over from the 1983 to the 1984 regular session; proposing new law coded in Minnesota Statutes, chapter 514.

The bill was read for the first time.

Ellingson moved that S. F. No. 1575 and H. F. No. 2039, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 1864, A bill for an act relating to state government; amending the Administrative Procedure Act; establishing an optional negotiated rulemaking procedure; allowing interested persons to respond after a public hearing; removing a requirement that the attorney general review the hearing examiner's hearing report; providing that rules will be adopted without a public hearing unless 25 persons object; providing for notification that rules were modified after proposal; restricting the adoption of temporary rules; providing that exempt rules are not effective unless submitted to the revisor of statutes; provid-

ing that judicial review of rules is by the court of appeals with appeal to the supreme court; amending Minnesota Statutes 1982, sections 14.03, subdivision 2; 14.10; 14.14, by adding a subdivision; 14.16; 14.23; 14.25; 14.29; 14.30; 14.31; 14.33; 14.35; 14.36; 14.38, subdivision 1; and 14.44; Minnesota Statutes 1983 Supplement, sections 14.07, subdivisions 2 and 4; 14.08; 14.12; 14.14, subdivision 1; 14.15, subdivision 1; 14.22; 14.26; 14.32; and 14.45; proposing new law coded in Minnesota Statutes, chapter 14; repealing Minnesota Statutes 1982, section 14.13; and Minnesota Statutes 1983 Supplement, sections 14.07, subdivision 5; 14.17; and 14.21.

The bill was read for the first time.

Knuth moved that S. F. No. 1864 and H. F. No. 2130, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 396, A bill for an act relating to taxation; extending Class 3 property to certain property owned by certain fraternal beneficiary societies or associations for community service; exempting sales of candy by nonprofit youth organizations from the sales tax; amending Minnesota Statutes 1983 Supplement, sections 273.13, subdivision 4; and 297A.25, subdivision 1.

The bill was read for the first time and referred to the Committee on Taxes.

S. F. No. 1403, A bill for an act relating to the Mississippi River headwaters area; requiring other governmental units to follow the land use plan adopted by the board; proposing new law coded in Minnesota Statutes, chapter 114B.

The bill was read for the first time.

Solberg moved that S. F. No. 1403 and H. F. No. 1909, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

CONSENT CALENDAR

S. F. No. 1351 was reported to the House.

There being no objection S. F. No. 1351 was temporarily laid over on the Consent Calendar.

S. F. No. 1642 was reported to the House.

There being no objection S. F. No. 1642 was temporarily laid over on the Consent Calendar.

S. F. No. 1473 was reported to the House.

Ellingson moved to amend S. F. No. 1473, as follows:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1982, section 272.12, is amended to read:

272.12 [CONVEYANCES, TAXES PAID BEFORE RECORDING.]

When a deed or other instrument conveying land, or plat of any town site or addition thereto, or a survey required pursuant to section 508.47, is presented to the county auditor for transfer, he shall ascertain from his records if there be taxes delinquent upon the land described therein, or if it has been sold for taxes. If there are taxes delinquent, he shall certify to the same; and upon payment of such taxes, or in case no taxes are delinquent, he shall transfer the land upon the books of his office, and note upon the instrument, over his official signature, the words, "no delinquent taxes and transfer entered," or, if the land described has been sold or assigned to an actual purchaser for taxes, the words "paid by sale of land described within;" and, unless such statement is made upon such instrument, the county recorder or the registrar of titles shall refuse to receive or record the same; provided, that sheriff's or referees' certificates of sale on execution or foreclosure of a lien or mortgage, deeds of distribution made by a personal representative in probate proceedings, decrees and judgments, receivers receipts, patents, and copies of town or statutory city plats, in case the original plat filed in the office of the county recorder has been lost or destroyed, and the instruments releasing, removing and discharging reversionary and forfeiture provisions affecting title to land and instruments releasing, removing or discharging easement rights in land or building or other restrictions, may be recorded without such certificate; and, provided that instruments conveying land and, as appurtenant thereto an easement over adjacent tract or tracts of land, may be recorded without such certificate as to the land covered by such easement; and provided further, that any instrument granting an easement made in favor of any public utility or pipe line for conveying gas, liquids or solids in suspension, in the nature of a right of way over, along, across or under a tract of land may be recorded without such certificate as to the land covered by such easement. *Any instrument amending or restating the declarations, bylaws, or other enabling documents governing homeowners associations of condominiums, townhouses, and other planned unit developments may be recorded without the auditor's certificate.*

A deed of distribution made by a personal representative in a probate proceeding, a decree, or a judgment that conveys land shall be presented to the county auditor, who shall transfer the

land upon the books of his office and note upon the instrument, over his official signature, the words, "transfer entered", and the instrument may then be recorded. A decree or judgment that affects title to land but does not convey land may be recorded without presentation to the auditor.

A violation of this section by the county recorder or the registrar of titles shall be a gross misdemeanor, and, in addition to the punishment therefor, he shall be liable to the grantee of any instrument so recorded for the amount of any damages sustained.

When, as a condition to permitting the recording of deed or other instrument affecting the title to real estate previously forfeited to the state under the provisions of sections 281.16 to 281.27, county officials, after such real estate has been purchased or repurchased, have required the payment of taxes erroneously assumed to have accrued against such real estate after forfeiture and before the date of purchase or repurchase, the sum required to be so paid shall be refunded to the persons entitled thereto out of moneys in the funds in which the sum so paid was placed. Delinquent taxes are those taxes deemed delinquent under section 279.02.

Sec. 2. Minnesota Statutes 1982, section 508.16, subdivision 1, is amended to read:

Subdivision 1. The summons shall be subscribed by the clerk, directed to the defendants, and require them to appear and answer the application of the applicant, within 20 days after the service of the summons, exclusive of the day of such service. It shall be served in the manner as provided by law for the service of a summons in civil actions in the district court, except as herein otherwise provided. It shall be served upon the state by delivering a copy thereof to the attorney general, a deputy attorney general or an assistant attorney general who shall transmit the same to the county attorney of the county in which the land described therein is situated, and thereupon such county attorney shall appear in such proceeding, and represent the state therein. *It shall be served upon a domestic corporation governed by chapter 302A whose charter has terminated by dissolution, expiration, or otherwise, by delivering a copy of it to a person, known to the applicant, who held office in the corporation at the time of dissolution and can be found in the state or, if no officer known to the applicant can be found in the state, by publishing the summons in a newspaper printed and published in the county where the application is filed, once each week for three consecutive weeks.* It shall be served upon all persons not personally served who are not residents of the state or who cannot be found therein, and upon domestic corporations not governed by chapter 302A whose charter has terminated by dissolution, expiration, or otherwise more than three years prior to the commencement of the action, and upon unknown successors in interests of such corporations, and upon "all other per-

sons or parties unknown claiming any right, title, estate, lien, or interest in the real estate described in the application herein" by publishing the same in a newspaper printed and published in the county wherein the application is filed, once each week for three consecutive weeks; provided, if the order for summons or a supplemental order of the court, filed before, during or after the publication of the summons, shall so direct, the summons may be personally served without the state upon any one or more of the defendants who are nonresidents of the state or who cannot be found therein, in like manner and with like effect as such service in a summons in a civil action in the district court; and provided further, that any nonresident defendant, natural or corporate, who can be found in the state of Minnesota and can be personally served therein, may be served personally. The clerk shall also, at least 20 days before the entry of the decree which shall be entered in the matter, send a copy of the summons by mail to all defendants not served personally who are not residents of the state, and whose place of address is known to applicant or stated in the application, or in the order directing the issuance of the summons. The certificate of the clerk that he has mailed the summons, as herein provided, shall be conclusive evidence thereof. Other or further notice of the application for registration may be given in such manner and to such persons as the court or any judge thereof may direct. The summons shall be served at the expense of the applicant and proof of the service shall be made in the same manner as in civil actions. The summons shall be substantially in the following form:

**SUMMONS IN APPLICATION FOR
REGISTRATION OF LAND**

State of Minnesota

ss.

County of

District Court Judicial District.

In the matter of the application of (name of applicant) to register the title to the following described real estate situated in county, Minnesota, namely:

(description of land)

Applicant,

vs

(names of defendants) and "all other persons or parties unknown claiming any right, title, estate, lien or interest in the real estate described in the application herein."

Defendants.

THE STATE OF MINNESOTA TO THE ABOVE NAMED DEFENDANTS:

You are hereby summoned and required to answer the application of the applicant in the above entitled proceeding and to file your answer to the said application in the office of the clerk of said court, in said county, within 20 days after service of this summons upon you exclusive of the day of such service, and, if you fail to answer the application within the time aforesaid, the applicant in this proceeding will apply to the court for the relief demanded therein.

Witness clerk of said court, and the seal thereof, at, in said county, this day of, 19.....

(Seal)

Clerk.

Sec. 3. Minnesota Statutes 1982, section 519.09, is amended to read:

519.09 [DOWER AND CURTESY ABOLISHED.]

All inchoate estates or statutory interests in lieu of dower and curtesy in all lands in this state which have been conveyed prior to January 1, (1960) 1970, by the husband or wife of the one entitled to such inchoate dower or curtesy, or statutory interest, by a conveyance in writing, are hereby abolished.

Sec. 4. Minnesota Statutes 1982, section 519.101, is amended to read:

519.101 [ACTIONS NOT MAINTAINABLE.]

No action for the recovery of real property, or of any right therein, or the possession thereof, shall be maintained by any person having any estate in dower or by the curtesy or any estate or statutory interest in lieu of dower or by the curtesy therein, or by anyone claiming, by, through or under any such person, where it appears that the husband or wife of such person conveyed such real property, or any interest therein, by a conveyance in writing, prior to the first day of January, (1960) 1970; and no action shall be maintained for the recovery of real property, or of any right therein, or the possession thereof, by any person claiming by reason of failure of a spouse to join in a conveyance of land which constituted the homestead of the grantor at the time of the conveyance where such conveyance was made prior to January 1, (1960) 1970, unless such action shall be commenced on or prior

to the first day of January, (1974) 1985, and notice thereof filed for record at the time of the commencement of said action in the office of the county recorder in the county where said real property is situate.

Sec. 5. Minnesota Statutes 1982, section 566.03, subdivision 1, is amended to read:

Subdivision 1. When any person holds over lands or tenements after a sale thereof on an execution or judgment, or on foreclosure of a mortgage, and expiration of the time for redemption, or after termination of contract to convey the same, *provided that if the person holding such lands or tenements after the sale, foreclosure, or termination is a tenant, he has received at least one month's written notice of the termination of his tenancy as a result of the sale, foreclosure, or termination; or when any person holds over lands or tenements after termination of the time for which they are demised or let to him or to the persons under whom he holds possession, or contrary to the conditions or covenants of the lease or agreement under which he holds, or after any rent becomes due according to the terms of such lease or agreement (,); or when any tenant at will holds over after the determination of any such estate by notice to quit (,); in all such cases the person entitled to the premises may recover possession thereof in the manner hereinafter provided.*

Sec. 6. [ABSTRACT OF TITLE; STORAGE WITHIN MINNESOTA.]

An abstract of title to Minnesota real estate shall be stored within the state of Minnesota. This section does not apply if the holder of the abstract of title is the mortgagor or fee simple owner of the real estate to which the abstract pertains."

Delete the title and insert:

"A bill for an act relating to real property; providing that certain instruments may be recorded without an auditor's certificate; allowing service of summons upon dissolved domestic corporations; amending provisions related to the abolition of dower and curtesy; clarifying when the right of possession passes after a sale on execution or judgment or mortgage foreclosure; providing for a notice in certain cases; requiring storage of abstracts of title to be stored in Minnesota with certain exceptions; amending Minnesota Statutes 1982, sections 272.12; 508.16, subdivision 1; 519.09; 519.101; and 566.03, subdivision 1."

The motion prevailed and the amendment was adopted.

SUSPENSION OF RULES

Pursuant to Article IV, Section 19, of the Constitution of the state of Minnesota, Ellingson moved that the rule therein be

suspended and an urgency be declared so that S. F. No. 1473, as amended, be given its third reading and be placed upon its final passage. The motion prevailed.

Ellingson moved that the rules of the House be so far suspended that S. F. No. 1473, as amended, be given its third reading and be placed upon its final passage. The motion prevailed.

S. F. No. 1473, A bill for an act relating to real property; allowing service of summons upon dissolved domestic corporations; amending provisions related to the abolition of dower and curtesy; amending Minnesota Statutes 1982, sections 508.16, subdivision 1; 519.09; and 519.101.

The bill was read for the third time, as amended, and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 114 yeas and 12 nays as follows:

Those who voted in the affirmative were:

Anderson, B.	Elioff	Knickerbocker	Omann	Sherman
Anderson, G.	Ellingson	Knuth	Onnen	Simoneau
Anderson, R.	Evans	Kostohryz	Osthoff	Skoglund
Battaglia	Findlay	Krueger	Otis	Solberg
Beard	Forsythe	Kvam	Peterson	Sparby
Begich	Graba	Larsen	Piepho	Stadum
Bennett	Greenfield	Levi	Piper	Staten
Bergstrom	Gruenes	Long	Price	Swiggum
Bishop	Gustafson	Mann	Quinn	Swanson
Blatz	Gutknecht	Marsh	Quist	Tomlinson
Boo	Halberg	McEachern	Reif	Tunheim
Brandl	Haukoos	McKasy	Riveness	Valan
Brinkman	Heap	Metzen	Rodosovich	Valento
Carlson, D.	Heinitz	Minne	Rodriguez, C.	Vanasek
Carlson, L.	Himle	Munger	Rodriguez, F.	Vellenga
Clark, J.	Hoffman	Murphy	Rose	Voss
Clark, K.	Hokr	Nelson, D.	St. Onge	Waltman
Clawson	Jacobs	Nelson, K.	Sarna	Welch
Cohen	Jensen	Neuenschwander	Scheid	Welle
Coleman	Johnson	Norton	Schoenfeld	Wenzel
Dempsey	Kahn	O'Connor	Seaberg	Wynia
Dimler	Kalis	Ogren	Segal	Speaker Sieben
Eken	Kelly	Olsen	Shea	

Those who voted in the negative were:

DenOuden	Jennings	Schafer	Uphus	Wigley
Erickson	Ludeman	Thiede	Welker	Zaffke
Fjoslien	McDonald			

The bill was passed, as amended, and its title agreed to.

S. F. No. 1351 which was temporarily laid over earlier today was again reported to the House.

SUSPENSION OF RULES

Pursuant to Article IV, Section 19, of the Constitution of the state of Minnesota, Graba moved that the rule therein be suspended and an urgency be declared so that S. F. No. 1351 be given its third reading and be placed upon its final passage. The motion prevailed.

Graba moved that the rules of the House be so far suspended that S. F. No. 1351 be given its third reading and be placed upon its final passage. The motion prevailed.

S. F. No. 1351, A bill for an act relating to commerce; providing an alternative distribution of assets following voluntary dissolution of a cooperative association; amending Minnesota Statutes 1982, section 308.14, by adding a subdivision.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 126 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Anderson, B.	Erickson	Kostohryz	Peterson	Stadum
Anderson, G.	Evans	Krueger	Piepho	Staten
Anderson, R.	Findlay	Kvam	Piper	Sviggum
Battaglia	Fjoslien	Larsen	Price	Swanson
Beard	Forsythe	Levi	Quinn	Thiede
Begich	Graba	Long	Quist	Tomlinson
Bennett	Greenfield	Ludeman	Reif	Tunheim
Bergstrom	Gruenes	Mann	Rice	Uphus
Bishop	Gustafson	McDonald	Riveness	Valan
Blatz	Gutknecht	McEachern	Rodosovich	Valento
Boo	Halberg	McKasy	Rodriguez, C.	Vanasek
Brandl	Haukoos	Metzen	Rodriguez, F.	Vellenga
Brinkman	Heap	Minne	Rose	Voss
Carlson, D.	Heinitz	Munger	St. Onge	Waltman
Carlson, L.	Himle	Murphy	Sarna	Welch
Clark, J.	Hoffman	Nelson, D.	Schafer	Welker
Clark, K.	Hokr	Nelson, K.	Schoenfeld	Welle
Clawson	Jacobs	Neuenschwander	Schreiber	Wenzel
Cohen	Jennings	Norton	Seaberg	Wigley
Coleman	Jensen	O'Connor	Segal	Wynia
Dempsey	Johnson	Ogren	Shea	Zaffke
DenOuden	Kahn	Olsen	Sherman	Speaker Sieben
Dimler	Kalis	Omann	Simoneau	
Eken	Kelly	Onnen	Skoglund	
Elioff	Knickerbocker	Osthoff	Solberg	
Ellingson	Knuth	Otis	Sparby	

The bill was passed and its title agreed to.

S. F. No. 1642 which was temporarily laid over earlier today was again reported to the House.

SUSPENSION OF RULES

Pursuant to Article IV, Section 19, of the Constitution of the state of Minnesota, Vellenga moved that the rule therein be suspended and an urgency be declared so that S. F. No. 1642 be given its third reading and be placed upon its final passage. The motion prevailed.

Vellenga moved that the rules of the House be so far suspended that S. F. No. 1642 be given its third reading and be placed upon its final passage. The motion prevailed.

S. F. No. 1642. A bill for an act relating to highway traffic regulations; providing for breath tests to be administered using an infrared breath-testing instrument for the purpose of determining the presence of alcohol or a controlled substance; authorizing the results of infrared breath-tests to be admissible in evidence in civil and criminal hearings; amending Minnesota Statutes 1982, sections 169.01, by adding a subdivision; 169.121, subdivision 6; 169.123, subdivisions 4, 5a, and by adding a subdivision; Minnesota Statutes 1983 Supplement, sections 169.121, subdivision 2; 169.123, subdivisions 2 and 3; proposing new law coded in Minnesota Statutes, chapter 634.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 122 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Anderson, B.	Findlay	Kvam	Piepho	Sparby
Anderson, G.	Fjoslien	Larsen	Piper	Stadum
Battaglia	Forsythe	Levi	Price	Staten
Beard	Graba	Long	Quinn	Swanson
Begich	Greenfield	Ludeman	Quist	Thiede
Bennett	Cruenes	Mann	Rice	Tomlinson
Bergstrom	Gustafson	McDonald	Riveness	Tunheim
Bishop	Gutknecht	McEachern	Rodosovich	Uphus
Blatz	Halberg	McKasy	Rodriguez, C.	Valan
Boo	Haukoos	Metzen	Rodriguez, F.	Valento
Brandl	Heap	Minne	Rose	Vanasek
Brinkman	Heinitz	Munger	St. Onge	Vellenga
Carlson, D.	Himle	Murphy	Sarna	Voss
Carlson, L.	Hokr	Nelson, D.	Schafer	Waltman
Clark, J.	Jacobs	Nelson, K.	Scheid	Welch
Clark, K.	Jennings	Neuenschwander	Schoenfeld	Welker
Clawson	Jensen	Norton	Schreiber	Welle
Cohen	Johnson	O'Connor	Seaberg	Wenzel
Coleman	Kahn	Ogren	Segal	Wigley
DenOuden	Kalis	Olsen	Shaver	Wynia
Dimler	Kelly	Omann	Shea	Zaifke
Eken	Knickerbocker	Onnen	Sherman	Speaker Sieben
Elioff	Knuth	Osthoff	Simoneau	
Ellingson	Kostohryz	Otis	Skoglund	
Erickson	Krueger	Peterson	Solberg	

The bill was passed and its title agreed to.

CALENDAR

S. F. No. 1504, A bill for an act relating to commerce; providing various definitions applicable to the regulation of sales of subdivided lands; providing for the registration of subdivided lands; requiring the use of public offering statements; providing certain exemptions to the subdivided land statutes; providing for the rescission of subdivided land sales contracts; regulating the filing of subdivided land documents; prohibiting the publishing of false, misleading, or deceptive advertising regarding subdivided lands; providing the filing of annual reports; regulating supplemental subdivided land reports; providing for the revocation or suspension of a subdivided land registration; regulating service of process on subdivided land registration applicants; establishing prohibited practices; prescribing penalties; amending Minnesota Statutes 1982, sections 83.20, subdivisions 1, 5, 11, and by adding subdivisions; 83.21; 83.23; 83.24; 83.25, subdivision 1; 83.26; 83.27; 83.28; 83.29, by adding subdivisions; 83.30; 83.31; 83.33, subdivisions 1 and 2; 83.34, subdivision 1; 83.35; 83.36; 83.37; 83.38, subdivision 2; 83.39; 83.40; 83.41; 83.42; proposing new law coded in Minnesota Statutes, chapter 83; repealing Minnesota Statutes 1982, section 83.33, subdivision 3.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 127 yeas and 1 nay as follows:

Those who voted in the affirmative were:

Anderson, B.	Findlay	Kvam	Peterson	Sparby
Anderson, G.	Fjoslien	Larsen	Piepho	Stadum
Battaglia	Forsythe	Levi	Piper	Staten
Beard	Graba	Long	Price	Sviggum
Begich	Greenfield	Ludeman	Quinn	Swanson
Bennett	Gruenes	Mann	Quist	Thiede
Bergstrom	Gustafson	Marsh	Rice	Tomlinson
Bishop	Gutknecht	McDonald	Riveness	Tunheim
Blatz	Halberg	McEachern	Rodosovich	Uphus
Boo	Haukoos	McKasy	Rodriguez, C.	Valan
Brandl	Heap	Metzen	Rodriguez, F.	Valento
Brinkman	Heinitz	Minne	Rose	Vanasek
Carlson, D.	Himle	Munger	St. Onge	Vellenga
Carlson, L.	Hoffman	Murphy	Sarna	Voss
Clark, J.	Hokr	Nelson, D.	Schafer	Waltman
Clark, K.	Jacobs	Nelson, K.	Scheid	Welch
Clawson	Jennings	Neuenschwander	Schoenfeld	Welker
Cohen	Jensen	Norton	Schreiber	Welle
Coleman	Johnson	O'Connor	Seaberg	Wenzel
DenOuden	Kahn	Ogren	Segal	Wigley
Dimler	Kalis	Olsen	Shaver	Wynia
Eken	Kelly	Omann	Shea	Zaffke
Elioff	Knickerbocker	Onnen	Sherman	Speaker Sieben
Ellingson	Knuth	Osthoff	Simoneau	
Erickson	Kostohryz	Otis	Skoglund	
Evans	Krueger	Pauly	Solberg	

Those who voted in the negative were:

Anderson, R.

The bill was passed and its title agreed to.

CONSIDERATION UNDER RULE 1.10

Pursuant to rule 1.10, Tomlinson requested immediate consideration of H. F. Nos. 377 and 1453; S. F. No. 1511 and H. F. No. 1707.

H. F. No. 377 was reported to the House.

Himle moved to amend H. F. No. 377, the first engrossment, as follows:

Page 1, after line 8, insert:

"Section 1. Minnesota Statutes 1983 Supplement, section 290.01, subdivision 20a, is amended to read:

Subd. 20a. [MODIFICATIONS INCREASING FEDERAL ADJUSTED GROSS INCOME.] There shall be added to federal adjusted gross income:

(1) Interest income on obligations of any state other than Minnesota or a political subdivision of any other state exempt from federal income taxes under the Internal Revenue Code of 1954;

(2) Income taxes imposed by this state or any other taxing jurisdiction, to the extent deductible in determining federal adjusted gross income and not credited against federal income tax;

(3) Interest on indebtedness incurred or continued to purchase or carry securities the income from which is exempt from tax under this chapter, to the extent deductible in determining federal adjusted gross income;

(4) In the case of a change of residence from Minnesota to another state or nation, the amount of moving expenses which exceed total reimbursements and which were therefore deducted in arriving at federal adjusted gross income;

(5) The amount of any increase in the taxpayer's federal tax liability under section 47 of the Internal Revenue Code of 1954 to the extent of the credit under section 38 of the Internal Revenue Code of 1954 that was previously allowed as a deduction under Minnesota Statutes 1982, section 290.01, subdivision 20b, clause (7);

(6) Expenses and losses arising from a farm which are not allowable under section 290.09, subdivision 29;

(7) Expenses and depreciation attributable to substandard buildings disallowed by section 290.101;

(8) The amount by which the gain determined pursuant to section 41.59, subdivision 2 exceeds the amount of such gain included in federal adjusted gross income;

(9) To the extent deducted in computing the taxpayer's federal adjusted gross income for the taxable year, losses recognized upon a transfer of property to the spouse or former spouse of the taxpayer in exchange for the release of the spouse's marital rights;

(10) Interest income from qualified scholarship funding bonds as defined in section 103(e) of the Internal Revenue Code of 1954, if the nonprofit corporation is domiciled outside of Minnesota;

(11) Exempt-interest dividends, as defined in section 852(b)(5)(A) of the Internal Revenue Code of 1954, not included in federal adjusted gross income pursuant to section 852(b)(5)(B) of the Internal Revenue Code of 1954, except for that portion of exempt-interest dividends derived from interest income on obligations of the state of Minnesota, any of its political or governmental subdivisions, any of its municipalities, or any of its governmental agencies or instrumentalities;

(12) The amount of any excluded gain recognized by a trust on the sale or exchange of property as defined in section 641(c)(1) of the Internal Revenue Code of 1954;

(13) To the extent not included in the taxpayer's federal adjusted gross income, the amount of any gain, from the sale or other disposition of property having a lower adjusted basis for Minnesota income tax purposes than for federal income tax purposes. This modification shall not exceed the difference in basis. If the gain is considered a long term capital gain for federal income tax purposes, the modification shall be limited to 40 percent of the portion of the gain. This modification is limited to property that qualified for the equity investment credit contained in section 290.069, subdivision 4, and to property acquired in exchange for the release of the taxpayer's marital rights contained in section 290.14, clause (7);

(14) The amount of any loss from a source outside of Minnesota which is not allowed under section 290.17 including any capital loss or net operating loss carryforwards or carrybacks resulting from the loss;

(15) To the extent deducted in computing the taxpayer's federal adjusted gross income, interest, taxes and other expenses which are not allowed under section 290.10, clause (9) or (10);

(16) The deduction for two-earner married couples provided in section 221 of the Internal Revenue Code of 1954;

(17) Losses from the business of mining as defined in section 290.05, subdivision 1, clause (a) which is not subject to the Minnesota income tax;

(18) Expenses and depreciation attributable to property subject to Laws 1982, chapter 523, article 7, section 3 which has not been registered; *and*

(19) (THE AMOUNT OF CONTRIBUTIONS TO AN INDIVIDUAL RETIREMENT ACCOUNT, INCLUDING A QUALIFIED VOLUNTARY EMPLOYEE CONTRIBUTION, SIMPLIFIED EMPLOYEE PENSION PLAN, OR SELF-EMPLOYED RETIREMENT PLAN WHICH IS ALLOWED UNDER SECTIONS 311 AND 312 OF PUBLIC LAW NUMBER 97-34, SECTION 238 OF PUBLIC LAW NUMBER 97-248, AND SECTION 108(D)(1)(B) OF PUBLIC LAW NUMBER 97-448 TO THE EXTENT THOSE CONTRIBUTIONS WERE NOT AN ALLOWABLE DEDUCTION PRIOR TO THE ENACTMENT OF THAT LAW, AND)

((20)) To the extent not included in the taxpayer's federal adjusted gross income, the amount of any contributions to a qualified pension plan, designated as employee contributions but which the employing unit picks up and which are treated as employer contributions pursuant to section 414(h)(2) of the Internal Revenue Code of 1954.

Sec. 2. Minnesota Statutes 1983 Supplement, section 290.01, subdivision 20b, is amended to read:

Subd. 20b. [MODIFICATIONS REDUCING FEDERAL ADJUSTED GROSS INCOME.] There shall be subtracted from federal adjusted gross income:

(1) Interest income on obligations of any authority, commission or instrumentality of the United States to the extent includible in gross income for federal income tax purposes but exempt from state income tax under the laws of the United States;

(2) The portion of any gain, from the sale or other disposition of property having a higher adjusted basis for Minnesota income tax purposes than for federal income tax purposes, that does not exceed such difference in basis; but if such gain is considered a long-term capital gain for federal income tax pur-

poses, the modification shall be limited to 40 per centum of the portion of the gain. This modification shall not be applicable if the difference in basis is due to disallowance of depreciation pursuant to section 290.101.

(3) Income from the performance of personal or professional services which is subject to the reciprocity exclusion contained in section 290.081, clause (a);

(4) Losses, not otherwise reducing federal adjusted gross income assignable to Minnesota, arising from events or transactions which are assignable to Minnesota under the provisions of sections 290.17 to 290.20; including any capital loss or net operating loss carryforwards or carrybacks or out of state loss carryforwards resulting from the losses, and including any farm loss carryforwards or carrybacks;

(5) If included in federal adjusted gross income, the amount of any credit received, whether received as a refund or credit to another taxable year's income tax liability, pursuant to chapter 290A, and the amount of any overpayment of income tax to Minnesota, or any other state, for any previous taxable year, whether the amount is received as a refund or credited to another taxable year's income tax liability;

(6) To the extent included in federal adjusted gross income, or the amount reflected as the ordinary income portion of a lump sum distribution under section 402(e) of the Internal Revenue Code of 1954, notwithstanding any other law to the contrary, the amount received by any person (i) from the United States, its agencies or instrumentalities, the Federal Reserve Bank or from the state of Minnesota or any of its political or governmental subdivisions or from any other state or its political or governmental subdivisions, or a Minnesota volunteer firefighter's relief association, by way of payment as a pension, public employee retirement benefit, or any combination thereof, (ii) as a retirement or survivor's benefit made from a plan qualifying under section 401, 403, 404, 405, 408, 409 or 409A of the Internal Revenue Code of 1954, or (iii) severance pay distributed to an individual upon discontinuance of the individual's employment due to termination of business operations by the individual's employer, provided that the termination is reasonably likely to be permanent, involves the discharge of at least 75 percent of the employees at that site within a one-year period, and the business is not acquired by another person who continues operations at that site. The maximum amount of this subtraction shall be \$11,000 less the amount by which the individual's federal adjusted gross income, plus the ordinary income portion of a lump sum distribution as defined in section 402(e) of the Internal Revenue Code of 1954, exceeds \$17,000. For purposes of this clause, "severance pay" means an amount received for cancellation of an employment contract or a collectively bargained termination payment made as a substitute for income which would

have been earned for personal services to be rendered in the future. In the case of a volunteer firefighter who receives an involuntary lump sum distribution of his pension or retirement benefits, the maximum amount of this subtraction shall be \$11,000; this subtraction shall not be reduced by the amount of the individual's federal adjusted gross income in excess of \$17,000;

(7) To the extent included in the taxpayer's federal adjusted gross income for the taxable year, gain recognized upon a transfer of property to the spouse or former spouse of the taxpayer in exchange for the release of the spouse's marital rights;

(8) The amount of any distribution from a qualified pension or profit sharing plan included in federal adjusted gross income in the year of receipt to the extent of any contribution not previously allowed as a deduction by reason of a change in federal law which was not adopted by Minnesota law for a taxable year beginning in 1974 or later, *including distributions from an individual retirement account which represent a return of contributions if they were included previously in gross income on the individual's income tax return. The distribution shall be allocated first to the return of contributions included in gross income until the amount of the contributions has been exhausted;*

(9) Interest, including payment adjustment to the extent that it is applied to interest, earned by the seller of the property on a family farm security loan executed before January 1, 1986 that is guaranteed by the commissioner of agriculture as provided in sections 41.51 to 41.60;

(10) The first \$3,000 of compensation for personal services in the armed forces of the United States or the United Nations, and the next \$2,000 of compensation for personal services in the armed forces of the United States or the United Nations wholly performed outside the state of Minnesota. This modification does not apply to compensation defined in subdivision 20b, clause (6);

(11) The amount of any income earned for personal services rendered outside of Minnesota prior to the date when the taxpayer became a resident of Minnesota. This modification does not apply to compensation defined in subdivision 20b, clause (6);

(12) In the case of wages or salaries paid or incurred on or after January 1, 1977, the amount of any credit for employment of certain new employees under sections 44B and 51 to 53 of the Internal Revenue Code of 1954 which is claimed as a credit against the taxpayer's federal tax liability, but only to the extent that the credit is connected with or allocable against the production or receipt of income included in the measure of the tax imposed by this chapter;

(13) In the case of work incentive program expenses paid or incurred on or after January 1, 1979, the amount of any credit

for expenses of work incentive programs under sections 40, 50A and 50B of the Internal Revenue Code of 1954 which is claimed as a credit against the taxpayer's federal tax liability, but only to the extent that the credit is connected with or allocable against the production or receipt of income included in the measure of the tax imposed by this chapter;

(14) Unemployment compensation to the extent includible in gross income for federal income tax purposes under section 85 of the Internal Revenue Code of 1954;

(15) The amount of any income or gain which is not assignable to Minnesota under the provisions of section 290.17;

(16) Interest earned on a contract for deed entered into for the sale of property for agricultural use if the rate of interest set in the contract is no more than nine percent per year for the duration of the term of the contract. This exclusion shall be available only if (1) the purchaser is an individual who, together with his spouse and dependents, has a total net worth valued at less than \$150,000 and (2) the property sold under the contract is farm land as defined in section 41.52, subdivision 6 of no more than 1,000 acres that the purchaser intends to use for agricultural purposes. Compliance with these requirements shall be stated in an affidavit to be filed with the first income tax return on which the taxpayer claims the exclusion provided in this clause. Upon request accompanied by the information necessary to make the determination, the commissioner shall determine whether interest to be paid on a proposed transaction will qualify for this exclusion; the determination shall be provided within 30 days of receipt of the request, unless the commissioner finds it necessary to obtain additional information, or verification of the information provided, in which case the determination shall be provided within 30 days of receipt of the final item of information or verification. The exclusion provided in this clause shall apply to interest earned on contracts for deed entered into after December 31, 1981 and before July 1, 1983;

(17) Income from the business of mining as defined in section 290.05, subdivision 1, clause (a) which is not subject to the Minnesota income tax; and

(18) To the extent included in federal adjusted gross income, distributions from a qualified governmental pension plan which represent a return of designated employee contributions to the plan and which contributions were included in gross income pursuant to subdivision 20a, clause ((20), AND)

((19) TO THE EXTENT INCLUDED IN FEDERAL ADJUSTED GROSS INCOME, DISTRIBUTIONS FROM AN INDIVIDUAL RETIREMENT ACCOUNT WHICH REPRESENT A RETURN OF DESIGNATED EMPLOYEE CONTRIBU-

TIONS IF THE CONTRIBUTIONS WERE INCLUDED IN GROSS INCOME PURSUANT TO SUBDIVISION 20A, CLAUSE (19). THE DISTRIBUTION SHALL BE ALLOCATED FIRST TO RETURN OF CONTRIBUTIONS INCLUDED IN GROSS INCOME UNTIL THE AMOUNT OF THE CONTRIBUTIONS HAS BEEN EXHAUSTED) (19).

Sec. 3. [EFFECTIVE DATE.]

Sections 1 and 2 are effective for taxable years beginning after December 31, 1984."

Renumber sections as necessary

Amend the title accordingly

A roll call was requested and properly seconded.

Pursuant to rule 1.10 Tomlinson withdrew his request for immediate consideration of H. F. No. 377.

H. F. No. 1453 was reported to the House.

Welker moved to amend H. F. No. 1453, the first engrossment, as follows:

Page 1, line 11, delete the new language and reinstate the stricken language.

The motion did not prevail and the amendment was not adopted.

H. F. No. 1453, A bill for an act relating to taxation; sales and use; providing for timely payment of sales and use taxes; amending Minnesota Statutes 1983 Supplement, section 297A.27, subdivision 1.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 128 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Anderson, B.	Bishop	Clark, K.	Elioff	Greenfield
Anderson, C.	Blatz	Clawson	Erickson	Gruenes
Anderson, R.	Boo	Cohen	Evans	Gustafson
Battaglia	Brandl	Coleman	Findlay	Gutknecht
Beard	Brinkman	Dempsey	Fjoslien	Halberg
Begich	Carlson, D.	DenOuden	Forsythe	Haukoos
Bennett	Carlson, L.	Dimler	Frerichs	Heap
Bergstrom	Clark, J.	Eken	Graba	Heinitz

Himle	Marsh	Pauly	Scheid	Tunheim
Hoffman	McDonald	Peterson	Schoenfeld	Uphus
Hokr	McEachern	Piepho	Schreiber	Valan
Jaocba	McKasy	Piper	Seaberg	Valento
Jennings	Metzen	Price	Segal	Vanasek
Jensen	Minne	Quinn	Shaver	Vellenga
Johnson	Munger	Quist	Shea	Voss
Kahn	Murphy	Redalen	Sherman	Waltman
Kalis	Nelson, D.	Reif	Simoneau	Welch
Kelly	Neuenschwander	Rice	Skoglund	Welker
Knickerbocker	Norton	Riveness	Solberg	Welle
Knuth	O'Connor	Rodosovich	Sparby	Wenzel
Kostohryz	Ogren	Rodriguez, C.	Stadum	Wigley
Krueger	Olsen	Rodriguez, F.	Staten	Wynia
Kvam	Omann	Rose	Sviggum	Zaffke
Larsen	Onnen	St. Onge	Swanson	Speaker Sieben
Ludeman	Osthoff	Sarna	Thiede	
Mann	Otis	Schafer	Tomlinson	

The bill was passed and its title agreed to.

S. F. No. 1511, A bill for an act relating to taxation; property; modifying the exemption for property held by political subdivisions; amending Minnesota Statutes 1982, section 272.02, subdivision 5.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 119 yeas and 10 nays as follows:

Those who voted in the affirmative were:

Anderson, B.	Findlay	Krueger	Pauly	Sherman
Anderson, G.	Fjoslien	Kvam	Peterson	Simoneau
Anderson, R.	Forsythe	Larsen	Piepho	Skoglund
Battaglia	Graba	Levi	Piper	Solberg
Beard	Greenfield	Long	Price	Sparby
Begich	Gruenes	Mann	Quinn	Stadum
Bennett	Gustafson	Marsh	Quist	Staten
Bergstrom	Gutknecht	McEachern	Redalen	Sviggum
Bishop	Halberg	McKasy	Reif	Swanson
Blatz	Heap	Metzen	Rice	Tomlinson
Boo	Heinitz	Minne	Riveness	Tunheim
Brinkman	Himle	Munger	Rodosovich	Valan
Carlson, D.	Hoffman	Murphy	Rodriguez, C.	Valento
Carlson, L.	Hokr	Nelson, D.	Rodriguez, F.	Vanasek
Clark, J.	Jacobs	Nelson, K.	Rose	Vellenga
Clark, K.	Jennings	Neuenschwander	St. Onge	Voss
Clawson	Jensen	Norton	Sarna	Waltman
Cohen	Johnson	O'Connor	Scheid	Welch
Coleman	Kahn	Ogren	Schoenfeld	Welle
Dempsey	Kalis	Olsen	Schreiber	Wenzel
Dimler	Kelly	Omann	Seaberg	Wigley
Eken	Knickerbocker	Onnen	Segal	Wynia
Elioff	Knuth	Osthoff	Shaver	Speaker Sieben
Evans	Kostohryz	Otis	Shea	

Those who voted in the negative were:

Erickson	Haukoos	McDonald	Thiede	Welker
Frerichs	Ludeman	Schafer	Uphus	Zaffke

The bill was passed and its title agreed to.

H. F. No. 1707 was reported to the House.

Kostohryz moved to amend H. F. No. 1707, the fourth engrossment, as follows:

Page 9, line 26, delete "*felony*" and insert "*offense*"

Page 21, delete lines 34 to 36.

Page 22, delete lines 1 and 2.

Page 22, line 3, delete "*2*" and insert "*1*"

Page 22, line 3, delete "*Any other*" and insert "*A*"

Page 22, line 5, delete "*3*" and insert "*2*"

A roll call was requested and properly seconded.

The question was taken on the amendment and the roll was called. There were 79 yeas and 27 nays as follows:

Those who voted in the affirmative were:

Anderson, G.	Ellingson	Kostohryz	Osthoff	Simoneau
Anderson, R.	Evans	Krueger	Otis	Skoglund
Beard	Forsythe	Larsen	Pauly	Solberg
Begich	Frerichs	Long	Peterson	Sparby
Bergstrom	Greenfield	Mann	Piepho	Sviggum
Bishop	Gruenes	McEachern	Piper	Swanson
Brandl	Gustafson	Metzen	Price	Tunheim
Carlson, L.	Gutknecht	Minne	Quinn	Uphus
Clark, J.	Himle	Munger	Reif	Valan
Clawson	Hoffman	Murphy	Rice	Vanasek
Cohen	Jacobs	Nelson, D.	Rodosovich	Waltman
Coleman	Jensen	Nelson, K.	St. Onge	Welker
Dempsey	Johnson	Neuenschwander	Sarna	Welle
Dimler	Kahn	Norton	Schafer	Wigley
Eken	Kalis	Ogren	Schoenfeld	Speaker Sieben
Elioff	Knuth	Onnen	Segal	

Those who voted in the negative were:

Bennett	Fjoslien	Kvam	Omann	Shaver
Boo	Halberg	Marsh	Quist	Stadum
Brinkman	Haukoos	McDonald	Rodriguez, F.	Thiede
DenOuden	Heinitz	O'Connor	Schreiber	Valento
Erickson	Hokr	Olsen	Seaberg	Wenzel
Findlay	Jennings			

The motion prevailed and the amendment was adopted.

Kostohryz moved to amend H. F. No. 1707, the fourth engrossment, as amended, as follows:

Page 20, line 28, after "gambling" insert: "*and may require a permit for the conduct of gambling exempt from licensing under section 19. The authority granted by this subdivision does not include the authority to require a license or permit to conduct gambling by organizations licensed by the board*"

The motion prevailed and the amendment was adopted.

Wenzel moved to amend H. F. No. 1707, the fourth engrossment, as amended, as follows:

Page 20, lines 12 to 22, delete subdivision 3 from the bill

A roll call was requested and properly seconded.

The question was taken on the amendment and the roll was called. There were 43 yeas and 82 nays as follows:

Those who voted in the affirmative were:

Bishop	Fjoslien	Kahn	Rodriguez, C.	Vellenga
Boo	Frerichs	Kvam	Schafer	Voss
Carlson, D.	Graba	Long	Seaberg	Waltman
Coleman	Gutknecht	Ludeman	Sherman	Welker
Dempsey	Haukoos	McDonald	Skoglund	Wenzel
DenOuden	Heap	Murphy	Swiggum	Wigley
Dimler	Hokr	Onnen	Thiede	Zaffke
Erickson	Jennings	Piepho	Uphus	
Findlay	Johnson	Quist	Valento	

Those who voted in the negative were:

Anderson, B.	Ellingson	Larsen	Pauly	Shea
Anderson, G.	Evans	Mann	Peterson	Simoneau
Battaglia	Forsythe	Marsh	Piper	Solberg
Beard	Greenfield	McEachern	Price	Sparby
Begich	Gustafson	McKasy	Quinn	Stadum
Bennett	Halberg	Metzen	Reif	Staten
Bergstrom	Heinitz	Minne	Rice	Swanson
Blatz	Himle	Munger	Riveness	Tomlinson
Brandl	Hoffman	Nelson, D.	Rodosovich	Tunheim
Brinkman	Jacobs	Neuenschwander	Rodriguez, F.	Valan
Carlson, L.	Jensen	Norton	Rose	Vanasek
Clark, J.	Kalis	O'Connor	St. Onge	Welch
Clark, K.	Kelly	Ogren	Sarna	Welle
Clawson	Knickerbocker	Olsen	Schoenfeld	Speaker Sieben
Cohen	Knuth	Omann	Schreiber	
Eken	Kostohryz	Osthoff	Segal	
Elioff	Krueger	Otis	Shaver	

The motion did not prevail and the amendment was not adopted.

Bishop moved to amend H. F. No. 1707, the fourth engrossment, as amended, as follows:

Page 20, line 18, after "only" delete the balance of the line

Page 20, delete lines 19 to 22

POINT OF ORDER

Kostohryz raised a point of order pursuant to section 401, paragraph 4, of "Mason's Manual of Legislative Procedure" that the amendment was out of order. The Speaker ruled the point of order not well taken and the amendment in order.

The question recurred on the Bishop amendment to H. F. No. 1707, the fourth engrossment, as amended. The motion did not prevail and the amendment was not adopted.

Schreiber moved to amend H. F. No. 1707, the fourth engrossment, as amended, as follows:

Page 20, line 20, after "programs" insert a period and delete the remainder of the line.

Page 20, delete lines 21 and 22

A roll call was requested and properly seconded.

The question was taken on the amendment and the roll was called. There were 51 yeas and 73 nays as follows:

Those who voted in the affirmative were:

Anderson, R.	Graba	Kvam	Rodosovich	Thiede
Bennett	Gruenes	Levi	Rodriguez, C.	Uphus
Bishop	Gutknecht	Long	Schafer	Valento
Carlson, D.	Halberg	Ludeman	Schreiber	Vellenga
Coleman	Haukoos	McDonald	Seaberg	Voss
DenOuden	Heap	Murphy	Shea	Waltman
Dimler	Hokr	Onnen	Sherman	Welker
Erickson	Jennings	Piepho	Skoglund	Wenzel
Findlay	Johnson	Quist	Stadum	Wigley
Fjoslien	Kahn	Reif	Sviggum	Zaffke
Frerichs				

Those who voted in the negative were:

Anderson, B.	Clawson	Jacobs	Metzen	Pauly
Anderson, G.	Cohen	Jensen	Minne	Peterson
Battaglia	Dempsey	Kalis	Munger	Piper
Beard	Eken	Kelly	Nelson, D.	Price
Begich	Elioff	Knickerbocker	Neuenschwander	Quinn
Bergstrom	Ellingson	Knuth	Norton	Rice
Blatz	Evans	Kostohryz	O'Connor	Riveness
Brandl	Forsythe	Krueger	Ogren	Rodriguez, F.
Brinkman	Greenfield	Larsen	Olsen	Rose
Carlson, I.	Gustafson	Mann	Omann	St. Onge
Clark, J.	Himle	Marsh	Osthoff	Sarna
Clark, K.	Hoffman	McEachern	Otis	Schoenfeld

Segal	Solberg	Swanson	Vanasek	Welle
Shaver	Sparby	Tomlinson	Welch	Speaker Sieben
Simoneau	Staten	Tunheim		

The motion did not prevail and the amendment was not adopted.

Sherman moved to amend H. F. No. 1707, the fourth engrossment, as amended, as follows:

Page 20, line 20, delete "construction"

Page 20, line 20, delete "schools" insert "programs"

A roll call was requested and properly seconded.

The question was taken on the amendment and the roll was called. There were 55 yeas and 69 nays as follows:

Those who voted in the affirmative were:

Anderson, R.	Fjoslien	Kahn	Reif	Sviggum
Bishop	Frerichs	Kvam	Rodosovich	Thiede
Boo	Graba	Long	Rodriguez, C.	Uphus
Carlson, D.	Gruenes	Ludeman	Rose	Valan
Clawson	Gutknecht	McDonald	Schafer	Valento
Coleman	Halberg	McKasy	Schreiber	Voss
Dempsey	Haukoos	Murphy	Seaberg	Waltman
DenOuden	Heap	Nelson, D.	Shea	Welker
Dimler	Hokr	Onnen	Sherman	Wenzel
Erickson	Jennings	Piepho	Skoglund	Wigley
Findlay	Johnson	Quist	Stadum	Zaffke

Those who voted in the negative were:

Anderson, B.	Eken	Knuth	Omann	Segal
Anderson, G.	Elioff	Kostohryz	Osthoff	Shaver
Battaglia	Ellingson	Larsen	Otis	Simoneau
Beard	Evans	Mann	Pauly	Solberg
Begich	Forsythe	Marsh	Peterson	Sparby
Bennett	Greenfield	McEachern	Piper	Staten
Bergstrom	Gustafson	Metzen	Price	Swanson
Blatz	Himle	Minne	Quinn	Tomlinson
Brandl	Hoffman	Munger	Rice	Tunheim
Brinkman	Jacobs	Neuenschwander	Riveness	Vanasek
Carlson, L.	Jensen	Norton	Rodriguez, F.	Welch
Clark, J.	Kalis	O'Connor	St. Onge	Welle
Clark, K.	Kelly	Ogren	Sarna	Speaker Sieben
Cohen	Knickerbocker	Olsen	Schoenfeld	

The motion did not prevail and the amendment was not adopted.

H. F. No. 1707, A bill for an act relating to gambling; creating a charitable gambling control board and prescribing its powers and duties; imposing a tax on the gross receipts of charitable gambling; making an annual appropriation; prescribing penal-

ties; amending Minnesota Statutes 1982, sections 349.11; 349.12; 349.13; 349.14; 349.15; 349.16; 349.17; 349.18; 349.19; 349.20; 349.21; 349.22; and 349.31, subdivision 1; Minnesota Statutes 1983 Supplement, sections 340.14, subdivision 2; 609.75, subdivision 3; and 609.761; proposing new law coded in Minnesota Statutes, chapter 349; repealing Minnesota Statutes 1982, section 349.26.

The bill was read for the third time, as amended, and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 90 yeas and 34 nays as follows:

Those who voted in the affirmative were:

Anderson, B.	Elioff	Larsen	Pauly	Shaver
Anderson, G.	Ellingson	Mann	Peterson	Shea
Battaglia	Evans	Marsh	Piper	Simoneau
Beard	Findlay	McEachern	Price	Skoglund
Begich	Forsythe	Metzen	Quinn	Solberg
Bennett	Greenfield	Minne	Reif	Sparby
Bergstrom	Gustafson	Munger	Rice	Stadum
Blatz	Heap	Nelson, D.	Riveness	Staten
Brandl	Himle	Nelson, K.	Rodosovich	Swanson
Brinkman	Hoffman	Neuenschwander	Rodriguez, C.	Tomlinson
Carlson, L.	Jacobs	Norton	Rodriguez, F.	Tunheim
Clark, J.	Jensen	O'Connor	Rose	Valan
Clark, K.	Kahn	Ogren	St. Onge	Valento
Clawson	Kelly	Olsen	Sarna	Vanasek
Cohen	Knickerbocker	Omann	Schoenfeld	Welch
Coleman	Knuth	Onnen	Schreiber	Welle
Dempsey	Kostohryz	Osthoff	Seaberg	Wynia
Eken	Krueger	Otis	Segal	Speaker Sieben

Those who voted in the negative were:

Anderson, R.	Frerichs	Jennings	Piepho	Voss
Bishop	Graba	Johnson	Quist	Waltman
Carlson, D.	Gruenes	Kvam	Schafer	Welker
DenOuden	Gutknecht	Ludeman	Sherman	Wenzel
Dimler	Halberg	McDonald	Sviggum	Wigley
Erickson	Haukoos	McKasy	Thiede	Zaffke
Fjoslien	Heintz	Murphy	Uphus	

The bill was passed, as amended, and its title agreed to.

Levi was excused between the hours of 12:00 noon and 4:45 p.m.

Vanasek moved that the House recess subject to the call of the Chair. The motion prevailed.

RECESS

RECONVENED

The House reconvened and was called to order by the Speaker:

Carlson, D., was excused while in conference.

There being no objection the order of business reverted to Messages from the Senate.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker:

I hereby announce the passage by the Senate of the following Senate Files, herewith transmitted:

S. F. Nos. 1732 and 2102.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce the passage by the Senate of the following Senate Files, herewith transmitted:

S. F. Nos. 595, 1336, 1498, and 2030.

PATRICK E. FLAHAVEN, Secretary of the Senate

FIRST READING OF SENATE BILLS

S. F. No. 1732, A bill for an act relating to financial institutions; authorizing industrial loan and thrift companies to act as trustees or custodians of certain retirement accounts; authorizing the removal of the bond requirement on the advertisement and sale of certain evidences of indebtedness; allowing special powers without inclusion in articles of incorporation; providing certain conventional loans on the same terms as other lenders; authorizing open-end loans; providing an alternative to filing fee charges; authorizing the deposit of real estate broker and salesperson trust funds in industrial loan and thrifts; amending Minnesota Statutes 1982, sections 47.75; subdivision 1; 53.04, subdivision 1, and by adding a subdivision; 56.131, subdivision 2; 82.24, subdivisions 1, 2, and 6; Minnesota Statutes 1983 Supplement, sections 53.04, subdivision 3a; and 53.05; proposing new law coded in Minnesota Statutes, chapter 56.

The bill was read for the first time.

Quinn moved that S. F. No. 1732 and H. F. No. 1923, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 2102, A bill for an act relating to health; providing counseling and educational services for sudden infant death syndrome families; encouraging autopsies on victims of sudden infant death syndrome; requiring the report of sudden infant death to the registrar of vital statistics; amending Minnesota Statutes 1982, sections 144.07; 144.222; and 390.11.

The bill was read for the first time.

Valan moved that S. F. No. 2102 and H. F. No. 2183, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 595, A bill for an act relating to insurance; holding companies; modifying the commissioner's jurisdiction with respect to the interests of shareholders; making miscellaneous style and form changes; amending Minnesota Statutes 1982, section 60D.02, subdivisions 1, 2, and 4; repealing Minnesota Statutes 1982, sections 60D.01, subdivision 8; and 60D.02, subdivision 5.

The bill was read for the first time.

Wynia moved that S. F. No. 595 and H. F. No. 702, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 1336, A bill for an act relating to crime; providing for criminal penalties and a one year driver's license revocation upon refusal by a driver suspected of driving under the influence of alcohol or a controlled substance to take a test; authorizing testing of a suspect who is unconscious or in a condition rendering the suspect incapable of refusal; restricting issuance of limited licenses for work purposes; clarifying provisions of the hit and run law; clarifying penalties imposed on certain persons convicted of driving while under the influence of alcohol or a controlled substance; clarifying provisions of the driving after revocation, suspension, or cancellation law; prescribing penalties for causing death or injury of another while operating a vehicle in a certain manner; providing for admission into evidence of certain convictions for driving offenses for impeachment purposes; authorizing issuance of limited licenses in certain circumstances; amending Minnesota Statutes 1982, sections 169.09, subdivision 4; 169.123, subdivisions 4, 5a, and 9, and by adding a subdivision; 171.24; and 171.30, subdivision 1; and Minnesota Statutes 1983 Supplement, sections 169.09, subdivisions 1, 14, and 15; 169.121, subdivision 3; 169.123, subdivisions 2 and 6; and 609.21, subdivisions 1 and 2; proposing new law coded in Minnesota Statutes, chapters 171 and 634; repealing Minnesota Statutes 1982, section 169.123, subdivision 9.

The bill was read for the first time.

Vellenga moved that S. F. No. 1336 and H. F. No. 1400, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 1498, A bill for an act relating to occupations and professions; clarifying jurisdiction over installment of power limited circuits.

The bill was read for the first time.

Anderson, G., moved that S. F. No. 1498 and H. F. No. 1851, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 2030, A bill for an act relating to public safety; prohibiting the state fire marshal from adopting or enforcing certain rules relating to family or group family day care homes; amending Minnesota Statutes 1982, section 299F.011, by adding a subdivision.

The bill was read for the first time.

Simoneau moved that S. F. No. 2030 and H. F. No. 2135, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

CONSIDERATION UNDER RULE 1.10

Pursuant to rule 1.10, Tomlinson requested immediate consideration of S. F. No. 746 and H. F. No. 966.

S. F. No. 746, A bill for an act relating to counties; permitting counties to issue notes to finance purchase of necessary capital equipment; amending Minnesota Statutes 1982, section 373.01, by adding a subdivision.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 112 yeas and 1 nay as follows:

Those voted in the affirmative were:

Anderson, G.	Boo	Dempsey	Forsythe	Hoffman
Anderson, R.	Brandl	DenOuden	Graba	Jennings
Battaglia	Burger	Dimler	Greenfield	Jensen
Beard	Carlson, D.	Eken	Gruenes	Johnson
Begich	Carlson, L.	Elioff	Gutknecht	Kahn
Bennett	Clark, J.	Erickson	Halberg	Kelly
Bergstrom	Clark, K.	Evans	Haukoos	Knickerbocker
Bishop	Clawson	Findlay	Heap	Knuth
Blatz	Coleman	Fjoslien	Heinitz	Kostohryz

Krueger	Ogren	Rice	Sherman	Vanasek
Kvam	Olsen	Rodosovich	Simoneau	Vellenga
Larsen	Omann	Rodriguez, C.	Skoglund	Voss
Long	Onnen	Rodriguez, F.	Solberg	Waltman
Ludeman	Osthoff	Rose	Sparby	Welker
Marsh	Otis	St. Onge	Staten	Welle
McDonald	Pauly	Sarna	Sviggum	Wenzel
McEachern	Peterson	Schafer	Swanson	Wigley
McKasy	Piepho	Scheid	Thiede	Wynia
Minne	Piper	Schoenfeld	Tomlinson	Zaffke
Murphy	Price	Schreiber	Tunheim	Speaker Sieben
Nelson, K.	Quinn	Seaberg	Uphus	
Norton	Quist	Segal	Valan	
O'Connor	Redalen	Shaver	Valento	

Those who voted in the negative were:

Gustafson

The bill was passed and its title agreed to.

H. F. No. 966 was reported to the House.

Neuenschwander moved to amend H. F. No. 966, the first engrossment, as follows:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1982, section 297A.01, subdivision 15, is amended to read:

Subd. 15. "Farm machinery" means new or used machinery, equipment, implements, accessories and contrivances used directly and principally in the production for sale, but not including the processing, of livestock, dairy animals, dairy products, poultry and poultry products, fruits, vegetables, forage, grains and bees and apiary products. "Farm machinery" shall include machinery for the preparation, seeding or cultivation of soil for growing agricultural crops, harvesting and threshing of agricultural products, and certain machinery for dairy, livestock and poultry farms, together with barn cleaners, milking systems, grain dryers, automatic feeding systems and similar installations. Irrigation equipment sold for exclusively agricultural use, including pumps, pipe fittings, valves, sprinklers and other equipment necessary to the operation of an irrigation system when sold as part of an irrigation system, except irrigation equipment which is situated below ground and considered to be a part of the real property, shall be included in the definition of farm machinery. *Logging equipment, except chain saws, shall be included in the definition of farm machinery.* Repair or replacement parts for farm machinery shall not be included in the definition of farm machinery.

Tools, shop equipment, grain bins, feed bunks, fencing material, communication equipment and other farm supplies shall

not be considered to be farm machinery. "Farm machinery" does not include motor vehicles taxed under chapter 297B, snow-mobles, snow blowers, lawn mowers, garden-type tractors or garden tillers and the repair and replacement parts for those vehicles and machines.

Sec. 2. [EFFECTIVE DATE.]

Section 1 is effective for sales made after June 30, 1984."

Further delete the title and insert:

"A bill for an act relating to taxation; sales; including logging equipment in the definition of farm machinery; amending Minnesota Statutes 1982, section 297A.01, subdivision 15."

Valan moved to amend the Neuenschwander amendment to H. F. No. 966, the first engrossment, as follows:

Page 2, of the Neuenschwander amendment after line 10, insert:

"Sec. 2. Minnesota Statutes 1983 Supplement, section 297A.-25, subdivision 1, is amended to read:

Subdivision 1. The following are specifically exempted from the taxes imposed by sections 297A.01 to 297A.44:

(a) The gross receipts from the sale of food products including but not limited to cereal and cereal products, butter, cheese, milk and milk products, oleomargarine, meat and meat products, fish and fish products, eggs and egg products, vegetables and vegetable products, fruit and fruit products, spices and salt, sugar and sugar products, coffee and coffee substitutes, tea, cocoa and cocoa products, and food products which are not taxable pursuant to section 297A.01, subdivision 3, clause (c) and which are sold by a retailer, organized as a nonprofit corporation or association, within a place located on property owned by the state or an agency or instrumentality of the state, the entrance to which is subject to an admission charge. This exemption does not include the following:

(i) candy and candy products;

(ii) carbonated beverages, beverages commonly referred to as soft drinks containing less than 15 percent fruit juice, or bottled water other than noncarbonated and noneffervescent bottled water sold in individual containers of one-half gallon or more in size;

(b) The gross receipts from the sale of prescribed drugs and medicine intended for use, internal or external, in the cure; mitigation, treatment or prevention of illness or disease in human be-

ings and products consumed by humans for the preservation of health, including prescription glasses, therapeutic and prosthetic devices, but not including cosmetics or toilet articles notwithstanding the presence of medicinal ingredients therein;

(c) The gross receipts from the sale of and the storage, use or other consumption in Minnesota of tangible personal property, tickets, or admissions, electricity, gas, or local exchange telephone service, which under the Constitution or laws of the United States or under the Constitution of Minnesota, the state of Minnesota is prohibited from taxing;

(d) The gross receipts from the sale of tangible personal property (i) which, without intermediate use, is shipped or transported outside Minnesota by the purchaser and thereafter used in a trade or business or is stored, processed, fabricated or manufactured into, attached to or incorporated into other tangible personal property transported or shipped outside Minnesota and thereafter used in a trade or business outside Minnesota, and which is not thereafter returned to a point within Minnesota, except in the course of interstate commerce (storage shall not constitute intermediate use); provided that the property is not subject to tax in that state or country to which it is transported for storage or use, or, if subject to tax in that other state, that state allows a similar exemption for property purchased therein and transported to Minnesota for use in this state; except that sales of tangible personal property that is shipped or transported for use outside Minnesota shall be taxed at the rate of the use tax imposed by the state to which the property is shipped or transported, unless that state has no use tax, in which case the sale shall be taxed at the rate generally imposed by this state; and provided further that sales of tangible personal property to be used in other states or countries as part of a maintenance contract shall be specifically exempt; or (ii) which the seller delivers to a common carrier for delivery outside Minnesota, places in the United States mail or parcel post directed to the purchaser outside Minnesota, or delivers to the purchaser outside Minnesota by means of the seller's own delivery vehicles, and which is not thereafter returned to a point within Minnesota, except in the course of interstate commerce;

(e) The gross receipts from the sale of packing materials used to pack and ship household goods, the ultimate destination of which is outside the state of Minnesota and which are not thereafter returned to a point within Minnesota, except in the course of interstate commerce;

(f) The gross receipts from the sale of and storage, use or consumption of petroleum products upon which a tax has been imposed under the provisions of chapter 296, whether or not any part of said tax may be subsequently refunded;

(g) The gross receipts from the sale of clothing and wearing apparel except the following:

(i) all articles commonly or commercially known as jewelry, whether real or imitation; pearls, precious and semi-precious stones, and imitations thereof; articles made of, or ornamented, mounted or fitted with precious metals or imitations thereof; watches; clocks; cases and movements for watches and clocks; gold, gold-plated, silver, or sterling flatware or hollow ware and silver-plated hollow ware; opera glasses; lorgnettes; marine glasses; field glasses and binoculars.

(ii) articles made of fur on the hide or pelt, and articles of which such fur is the component material or chief value, but only if such value is more than three times the value of the next most valuable component material.

(iii) perfume, essences, extracts, toilet waters, cosmetics, petroleum jellies, hair oils, pomades, hair dressings, hair restoratives, hair dyes, aromatic cachous and toilet powders. The tax imposed by this act shall not apply to lotion, oil, powder, or other article intended to be used or applied only in the case of babies.

(iv) trunks, valises, traveling bags, suitcases, satchels, overnight bags, hat boxes for use by travelers, beach bags, bathing suit bags, brief cases made of leather or imitation leather, salesmen's sample and display cases, purses, handbags, pocketbooks, wallets, billfolds, card, pass, and key cases and toilet cases.

(h) The gross receipts from the sale of and the storage, use, or consumption of all materials, including chemicals, fuels, petroleum products, lubricants, packaging materials, including returnable containers used in packaging food and beverage products, feeds, seeds, fertilizers, electricity, gas and steam, used or consumed in agricultural and industrial production of personal property intended to be sold ultimately at retail, whether or not the item so used becomes an ingredient or constituent part of the property produced. Such production shall include, but is not limited to, research, development, design or production of any tangible personal property, manufacturing, processing (other than by restaurants and consumers) of agricultural products whether vegetable or animal, commercial fishing, refining, smelting, reducing, brewing, distilling, printing, mining, quarrying, lumbering, generating electricity and the production of road building materials. Such production shall not include painting, cleaning, repairing or similar processing of property except as part of the original manufacturing process. Machinery, equipment, implements, tools, accessories, appliances, contrivances, furniture and fixtures, used in such production and fuel, electricity, gas or steam used for space heating or lighting, are not included within this exemption; however, accessory

tools, equipment and other short lived items, which are separate detachable units used in producing a direct effect upon the product, where such items have an ordinary useful life of less than 12 months, are included within the exemption provided herein;

(i) The gross receipts from the sale of and storage, use or other consumption in Minnesota of tangible personal property (except as provided in section 297A.14) which is used or consumed in producing any publication regularly issued at average intervals not exceeding three months, and any such publication. For purposes of this subsection, "publication" as used herein shall include, without limiting the foregoing, a legal newspaper as defined by Minnesota Statutes 1965, section 331.02, and any supplements or enclosures with or part of said newspaper; and the gross receipts of any advertising contained therein or therewith shall be exempt. For this purpose, advertising in any such publication shall be deemed to be a service and not tangible personal property, and persons or their agents who publish or sell such newspapers shall be deemed to be engaging in a service with respect to gross receipts realized from such newsgathering or publishing activities by them, including the sale of advertising. The term "publication" shall not include magazines and periodicals sold over the counter. Machinery, equipment, implements, tools, accessories, appliances, contrivances, furniture and fixtures used in such publication and fuel, electricity, gas or steam used for space heating or lighting, are not exempt;

(j) The gross receipts from all sales, including sales in which title is retained by a seller or a vendor or is assigned to a third party under an installment sale or lease purchase agreement under section 465.71, of tangible personal property to, and all storage, use or consumption of such property by, the United States and its agencies and instrumentalities or a state and its agencies, instrumentalities and political subdivisions. Sales exempted by this clause include sales pursuant to section 297A.01, subdivision 3, clauses (d) and (f). This exemption shall not apply to building, construction or reconstruction materials purchased by a contractor or a subcontractor as a part of a lump-sum contract or similar type of contract with a guaranteed maximum price covering both labor and materials for use in the construction, alteration or repair of a building or facility. This exemption does not apply to construction materials purchased by tax exempt entities or their contractors to be used in constructing buildings or facilities which will not be used principally by the tax exempt entities;

(k) The gross receipts from the isolated or occasional sale of tangible personal property in Minnesota not made in the normal course of business of selling that kind of property, and the storage, use, or consumption of property acquired as a result of such a sale. For purposes of this clause, sales by a nonprofit organization shall be deemed to be "isolated or occasional" if they occur at sale events that have a duration of three or fewer

consecutive days. The granting of the privilege of admission to places of amusement and the privilege of use of amusement devices by a nonprofit organization at an isolated or occasional event conducted on property owned or leased for a continuous period of more than 30 days by the nonprofit organization are also exempt. The exemption provided for isolated sales of tangible personal property and of the granting of admissions or the privilege of use of amusement devices by nonprofit organizations pursuant to this clause shall be available only if the sum of the days on which the organization and any subsidiary nonprofit organization sponsored by it that does not have a separate sales tax exemption permit conduct sales of tangible personal property, plus the days with respect to which the organization charges for the use of amusement devices or admission to places of amusement, does not exceed eight days in a calendar year. For purposes of this clause, a "nonprofit organization" means any corporation, society, association, foundation, or institution organized and operated exclusively for charitable, religious, or educational purposes, no part of the net earnings of which inures to the benefit of a private individual;

(l) The gross receipts from sales of rolling stock and the storage, use or other consumption of such property by railroads, freight line companies, sleeping car companies and express companies taxed on the gross earnings basis in lieu of ad valorem taxes. For purposes of this clause "rolling stock" is defined as the portable or moving apparatus and machinery of any such company which moves on the road, and includes, but is not limited to, engines, cars, tenders, coaches, sleeping cars and parts necessary for the repair and maintenance of such rolling stock.

(m) The gross receipts from sales of airflight equipment and the storage, use or other consumption of such property by airline companies taxed under the provisions of sections 270.071 to 270.079. For purposes of this clause, "airflight equipment" includes airplanes and parts necessary for the repair and maintenance of such airflight equipment, and flight simulators.

(n) The gross receipts from the sale of telephone central office telephone equipment used in furnishing intrastate and interstate telephone service to the public.

(o) The gross receipts from the sale of and the storage, use or other consumption by persons taxed under the in lieu provisions of chapter 298, of mill liners, grinding rods and grinding balls which are substantially consumed in the production of taconite, the material of which primarily is added to and becomes a part of the material being processed.

(p) The gross receipts from the sale of tangible personal property to, and the storage, use or other consumption of such property by, any corporation, society, association, foundation, or institution organized and operated exclusively for charitable,

religious or educational purposes if the property purchased is to be used in the performance of charitable, religious or educational functions, or any senior citizen group or association of groups that in general limits membership to persons age 55 or older and is organized and operated exclusively for pleasure, recreation and other nonprofit purposes, no part of the net earnings of which inures to the benefit of any private shareholders. Sales exempted by this clause include sales pursuant to section 297A.01, subdivision 3, clauses (d) and (f). This exemption shall not apply to building, construction or reconstruction materials purchased by a contractor or a subcontractor as a part of a lump-sum contract or similar type of contract with a guaranteed maximum price covering both labor and materials for use in the construction, alteration or repair of a building or facility. This exemption does not apply to construction materials purchased by tax exempt entities or their contractors to be used in constructing buildings or facilities which will not be used principally by the tax exempt entities;

(q) The gross receipts from the sale of caskets and burial vaults;

(r) The gross receipts from the sale of an automobile or other conveyance if the purchaser is assisted by a grant from the United States in accordance with 38 United States Code, section 1901, as amended.

(s) The gross receipts from the sale to the licensed aircraft dealer of an aircraft for which a commercial use permit has been issued pursuant to section 360.654, if the aircraft is resold while the permit is in effect.

(t) The gross receipts from the sale of building materials to be used in the construction or remodeling of a residence when the construction or remodeling is financed in whole or in part by the United States in accordance with 38 United States Code, sections 801 to 805, as amended. This exemption shall not be effective at time of sale of the materials to contractors, subcontractors, builders or owners, but shall be applicable only upon a claim for refund to the commissioner of revenue filed by recipients of the benefits provided in title 38 United States Code, chapter 21, as amended. The commissioner shall provide by regulation for the refund of taxes paid on sales exempt in accordance with this paragraph.

(u) The gross receipts from the sale of textbooks which are prescribed for use in conjunction with a course of study in a public or private school, college, university and business or trade school to students who are regularly enrolled at such institutions. For purposes of this clause a "public school" is defined as one that furnishes course of study, enrollment and staff that meets standards of the state board of education and a private school is one which under the standards of the state board of

education, provides an education substantially equivalent to that furnished at a public school. Business and trade schools shall mean such schools licensed pursuant to section 141.25.

(v) The gross receipts from the sale of and the storage of material designed to advertise and promote the sale of merchandise or services, which material is purchased and stored for the purpose of subsequently shipping or otherwise transferring outside the state by the purchaser for use thereafter solely outside the state of Minnesota.

(w) The gross receipt from the sale of residential heating fuels in the following manner:

(i) all fuel oil, coal, wood, steam, propane gas, and L.P. gas sold to residential customers for residential use;

(ii) natural gas sold for residential use to customers who are metered and billed as residential users and who use natural gas for their primary source of residential heat, for the billing months of November, December, January, February, March and April;

(iii) electricity sold for residential use to customers who are metered and billed as residential users and who use electricity for their primary source of residential heat, for the billing months of November, December, January, February, March and April.

(x) The gross receipts from the sale or use of tickets or admissions to the premises of or events sponsored by an association, corporation or other group of persons which provides an opportunity for citizens of the state to participate in the creation, performance or appreciation of the arts and which qualifies as a tax-exempt organization within the meaning of Minnesota Statutes 1980, section 290.05, subdivision 1, clause (i).

(y) The gross receipts from either the sales to or the storage, use or consumption of tangible personal property by an organization of military service veterans or an auxiliary unit of an organization of military service veterans, provided that:

(i) the organization or auxiliary unit is organized within the state of Minnesota and is exempt from federal taxation pursuant to section 501(c), clause (19), of the Internal Revenue Code as amended through December 31, 1982; and

(ii) the tangible personal property which is sold to or stored, used or consumed by the organization or auxiliary unit is for charitable, civic, educational, or nonprofit uses and not for social, recreational, pleasure or profit uses.

(z) The gross receipts from the sale of sanitary napkins, tampons, or similar items used for feminine hygiene.

(aa) *The gross receipts from the sale or exchange of gold, silver, bullion, and other precious metals if purchased, sold or otherwise acquired solely for investment purposes by a customer or client of a registered securities broker-dealer licensed under chapter 80A.*"

Re-number remaining section

Page 2 of the Neuenschwander amendment, line 12, delete "Section 1 is" and insert "Sections 1 and 2 are"

Further amend the title:

Page 2 of the Neuenschwander amendment, line 15, after the semicolon, insert "exempting gold and silver bullion;"

Page 2 of the Neuenschwander amendment, line 17, delete the period and insert "; and Minnesota Statutes 1983 Supplement, section 297A.25, subdivision 1."

There being no objection H. F. No. 966 was temporarily laid over on Rule 1.10.

CONSIDERATION UNDER RULE 1.10

Pursuant to rule 1.10, Rice requested immediate consideration of H. F. Nos. 100, 2006, 1920, 1376, 1588, 1678, 1237, 1769, 49, 2188, 1966, 1069, 1264, 1689 and 820.

H. F. No. 100, A bill for an act relating to health; changing eligibility requirements for catastrophic health expense protection; including insurance premiums; appropriating money; amending Minnesota Statutes 1982, sections 62E.52, subdivisions 2 and 3; 62E.53, subdivisions 1 and 2; and 62E.531, subdivision 2.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 118 yeas and 5 nays as follows:

Those who voted in the affirmative were:

Anderson, B.	Begich	Boo	Carlson, L.	Colman
Anderson, G.	Bennett	Brandl	Clark, J.	Dempsey
Anderson, R.	Bergstrom	Brinkman	Clark, K.	Dimler
Battaglia	Bishop	Burger	Clawson	Eken
Beard	Blatz	Carlson, D.	Cohen	Elioff

Erickson	Johnson	Nelson, D.	Rodosovich	Sviggum
Evans	Kahn	Nelson, K.	Rodriguez, C.	Swanson
Findlay	Kelly	Norton	Rodriguez, F.	Tomlinson
Fjoslien	Knickerbocker	O'Connor	Rose	Tunheim
Forsythe	Knuth	Ogren	St. Onge	Uphus
Graba	Kostohryz	Olsen	Sarna	Valan
Greenfield	Krueger	Omann	Scheid	Valento
Gruenes	Kvam	Onnen	Schoenfeld	Vanasek
Gustafson	Larsen	Osthoff	Schreiber	Vellenga
Gutknecht	Long	Otis	Seaberg	Voss
Halberg	Mann	Pauly	Segal	Waltman
Haukoos	Marsh	Peterson	Shaver	Welch
Heap	McDonald	Piepho	Shea	Welle
Heinitz	McEachern	Piper	Sherman	Wenzel
Hoffman	McKasy	Price	Simoneau	Wigley
Hokr	Metzen	Quinn	Skoglund	Wynia
Jacobs	Minne	Redalen	Solberg	Speaker Sieben
Jennings	Munger	Rice	Sparby	
Jensen	Murphy	Riveness	Staten	

Those who voted in the negative were:

DenOuden Ludeman Quist Schafer Welker

The bill was passed and its title agreed to.

The Speaker called Wynia to the Chair.

H. F. No. 2006 was reported to the House.

Sviggum and Waltman moved to amend H. F. No. 2006, the second engrossment, as follows:

Page 1, after line 22, insert the following:

"Sec. 2. The legislature is concerned about unrestricted fishing in the Mississippi River that may cause harm to our fish population. It is the policy of this legislature to encourage the commissioner of natural resources to continue attempts to reach agreement with the state of Wisconsin to further restrict the fishing season on these open waters."

Renumber the following section

The motion prevailed and the amendment was adopted.

H. F. No. 2006, A bill for an act relating to game and fish; authorizing reciprocity with Wisconsin in the purchase and sale of annual hunting and fishing licenses; proposing new law coded in Minnesota Statutes, chapter 98.

The bill was read for the third time, as amended, and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 95 yeas and 17 nays as follows:

Those who voted in the affirmative were:

Anderson, B.	Ellingson	Kvam	Osthoff	Shaver
Battaglia	Erickson	Larsen	Otis	Shea
Beard	Evans	Ludeman	Pauly	Sherman
Begich	Findlay	Mann	Peterson	Simoneau
Bennett	Fjoslien	Marsh	Piper	Sparby
Bergstrom	Forsythe	McEachern	Price	Sviggum
Bishop	Graba	McKasy	Quinn	Swanson
Blatz	Gruenes	Metzen	Quist	Thiede
Boo	Gustafson	Minne	Redalen	Tunheim
Brandl	Cutknecht	Munger	Reif	Valan
Brinkman	Halberg	Nelson, D.	Rodosovich	Valento
Burger	Haukoos	Nelson, K.	Rodriguez, F.	Vanašek
Carlson, L.	Hoffman	Neuenschwander	Rose	Voss
Clark, J.	Jacobs	Norton	St. Onge	Waltman
Clark, K.	Jensen	O'Connor	Scheid	Welch
Cohen	Kelly	Ogren	Schoenfeld	Welle
Coleman	Knickerbocker	Olsen	Schreiber	Wenzel
Dempsey	Kostohryz	Omman	Seaberg	Wynia
Eken	Krueger	Onnen	Segal	Speaker Sieben

Those who voted in the negative were:

Anderson, G.	Elioff	Kahn	Sarna	Welker
Anderson, R.	Greenfield	McDonald	Schafer	Wigley
DenOuden	Jennings	Piepho	Uphus	Zaffke
Dimler	Johnson			

The bill was passed, as amended, and its title agreed to.

H. F. No. 1920, A bill for an act relating to public welfare; establishing payments for respite care of children who are mentally retarded, have epilepsy, or are emotionally handicapped; establishing a statewide fee schedule for parental cost of care; amending Minnesota Statutes 1982, sections 246.511; 252.27, subdivisions 1 and 2; and Minnesota Statutes 1983 Supplement, section 256B.14, subdivision 2.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 126 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Anderson, B.	Brinkman	Eken	Cutknecht	Kelly
Anderson, G.	Burger	Elioff	Halberg	Knickerbocker
Anderson, R.	Carlson, D.	Ellingson	Haukoos	Knuth
Battaglia	Carlson, L.	Erickson	Heap	Kostohryz
Beard	Clark, J.	Evans	Heinitz	Krueger
Begich	Clark, K.	Findlay	Hoffman	Kvam
Bennett	Clawson	Fjoslien	Hokr	Larsen
Bergstrom	Cohen	Forsythe	Jacobs	Long
Bishop	Coleman	Graba	Jennings	Ludeman
Blatz	Dempsey	Greenfield	Jensen	Mann
Boo	DenOuden	Gruenes	Johnson	Marsh
Brandl	Dimler	Gustafson	Kahn	McDonald

McEachern	Onnen	Rodriguez, F.	Skoglund	Voss
McKasy	Osthoff	Rose	Solberg	Waltman
Metzen	Otis	St. Onge	Sparby	Welch
Minne	Pauly	Sarna	Staten	Welker
Munger	Peterson	Schafer	Sviggum	Welle
Murphy	Piepho	Scheid	Swanson	Wenzel
Nelson, D.	Piper	Schoenfeld	Thiede	Wigley
Nelson, K.	Price	Schreiber	Tomlinson	Wynia
Neuenschwander	Quinn	Seaberg	Tunheim	Zaffke
Norton	Quist	Segal	Uphus	Speaker Sieben
O'Connor	Redalen	Shaver	Valan	
Ogren	Reif	Shea	Valento	
Olsen	Rodosovich	Sherman	Vanasek	
Omann	Rodriguez, C.	Simoneau	Vellenga	

The bill was passed and its title agreed to.

H. F. No. 1376, A bill for an act establishing an agricultural resource loan guaranty program, board, and fund, and the terms of guaranties by the state of project loans in the program; appropriating money, taxes, tax increments, and other governmental charges; authorizing the issuance of state bonds; amending Minnesota Statutes 1982, sections 297A.44, subdivision 1; 362A.01, subdivision 1; and 362A.05; proposing new law coded as Minnesota Statutes, chapter 41A; proposing new law coded in Minnesota Statutes, chapter 362A.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 101 yeas and 20 nays as follows:

Those who voted in the affirmative were:

Anderson, B.	Elioff	Larsen	Piepho	Solberg
Anderson, G.	Ellingson	Long	Piper	Sparby
Anderson, R.	Erickson	Mann	Price	Stadum
Battaglia	Evans	Marsh	Quinn	Staten
Beard	Findlay	McEachern	Redalen	Sviggum
Begich	Fjoslien	McKasy	Reif	Swanson
Bergstrom	Graba	Metzen	Rice	Tomlinson
Bishop	Greenfield	Munger	Riveness	Tunheim
Blatz	Gruenes	Murphy	Rodosovich	Uphus
Brandl	Gustafson	Nelson, D.	Rodriguez, C.	Valan
Brinkman	Gutknecht	Nelson, K.	Rodriguez, F.	Vanasek
Carlson, D.	Halberg	Neuenschwander	St. Onge	Waltman
Carlson, L.	Hoffman	Norton	Scheid	Welch
Clark, J.	Jacobs	O'Connor	Schoenfeld	Welle
Clark, K.	Jensen	Ogren	Schreiber	Wenzel
Clawson	Kahn	Olsen	Seaberg	Wynia
Cohen	Kelly	Omann	Segal	Speaker Sieben
Coleman	Knickerbocker	Onnen	Shaver	
Dempsey	Kostohryz	Otis	Shea	
Dimler	Krueger	Pauly	Sherman	
Eken	Kvam	Peterson	Simoneau	

Those who voted in the negative were:

Boo	Frerichs	Johnson	Quist	Valento
Burger	Haukoos	Ludeman	Schafer	Voss
DenOuden	Hokr	McDonald	Skoglund	Welker
Forsythe	Jennings	Osthoff	Thiede	Zafike

The bill was passed and its title agreed to.

H. F. No. 966 which was temporarily laid over earlier today was again reported to the House.

Neuenschwander moved to amend H. F. No. 966, the first engrossment, as follows:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1982, section 297A.01, subdivision 15, is amended to read:

Subd. 15. "Farm machinery" means new or used machinery, equipment, implements, accessories and contrivances used directly and principally in the production for sale, but not including the processing, of livestock, dairy animals, dairy products, poultry and poultry products, fruits, vegetables, forage, grains and bees and apiary products. "Farm machinery" shall include machinery for the preparation, seeding or cultivation of soil for growing agricultural crops, harvesting and threshing of agricultural products, and certain machinery for dairy, livestock and poultry farms, together with barn cleaners, milking systems, grain dryers, automatic feeding systems and similar installations. Irrigation equipment sold for exclusively agricultural use, including pumps, pipe fittings, valves, sprinklers and other equipment necessary to the operation of an irrigation system when sold as part of an irrigation system, except irrigation equipment which is situated below ground and considered to be a part of the real property, shall be included in the definition of farm machinery. *Logging equipment, except chain saws, shall be included in the definition of farm machinery.* Repair or replacement parts for farm machinery shall not be included in the definition of farm machinery.

Tools, shop equipment, grain bins, feed bunks, fencing material, communication equipment and other farm supplies shall not be considered to be farm machinery. "Farm machinery" does not include motor vehicles taxed under chapter 297B, snowmobiles, snow blowers, lawn mowers, garden-type tractors or garden tillers and the repair and replacement parts for those vehicles and machines.

Sec. 2. [EFFECTIVE DATE.]

Section 1 is effective for sales made after June 30, 1984."

Further delete the title and insert:

"A bill for an act relating to taxation; sales; including logging equipment in the definition of farm machinery; amending Minnesota Statutes 1982, section 297A.01, subdivision 15."

Valan moved to amend the Neuenschwander amendment to H. F. No. 966, the first engrossment, as follows:

Page 2 of the Neuenschwander amendment, after line 10, insert:

"Sec. 2. Minnesota Statutes 1983 Supplement, section 297A.25, subdivision 1, is amended to read:

Subdivision 1. The following are specifically exempted from the taxes imposed by sections 297A.01 to 297A.44:

(a) The gross receipts from the sale of food products including but not limited to cereal and cereal products, butter, cheese, milk and milk products, oleomargarine, meat and meat products, fish and fish products, eggs and egg products, vegetables and vegetable products, fruit and fruit products, spices and salt, sugar and sugar products, coffee and coffee substitutes, tea, cocoa and cocoa products, and food products which are not taxable pursuant to section 297A.01, subdivision 3, clause (c) and which are sold by a retailer, organized as a nonprofit corporation or association, within a place located on property owned by the state or an agency or instrumentality of the state, the entrance to which is subject to an admission charge. This exemption does not include the following:

(i) candy and candy products;

(ii) carbonated beverages, beverages commonly referred to as soft drinks containing less than 15 percent fruit juice, or bottled water other than noncarbonated and noneffervescent bottled water sold in individual containers of one-half gallon or more in size;

(b) The gross receipts from the sale of prescribed drugs and medicine intended for use, internal or external, in the cure, mitigation, treatment or prevention of illness or disease in human beings and products consumed by humans for the preservation of health, including prescription glasses, therapeutic and prosthetic devices, but not including cosmetics or toilet articles notwithstanding the presence of medicinal ingredients therein;

(c) The gross receipts from the sale of and the storage, use or other consumption in Minnesota of tangible personal property, tickets, or admissions, electricity, gas, or local exchange telephone service, which under the Constitution or laws of the United States or under the Constitution of Minnesota, the state of Minnesota is prohibited from taxing;

(d) The gross receipts from the sale of tangible personal property (i) which, without intermediate use, is shipped or transported outside Minnesota by the purchaser and thereafter used in a trade or business or is stored, processed, fabricated or manufactured into, attached to or incorporated into other tangible personal property transported or shipped outside Minnesota and thereafter used in a trade or business outside Minnesota, and which is not thereafter returned to a point within Minnesota, except in the course of interstate commerce (storage shall not constitute intermediate use); provided that the property is not subject to tax in that state or country to which it is transported for storage or use, or, if subject to tax in that other state, that state allows a similar exemption for property purchased therein and transported to Minnesota for use in this state; except that sales of tangible personal property that is shipped or transported for use outside Minnesota shall be taxed at the rate of the use tax imposed by the state to which the property is shipped or transported, unless that state has no use tax, in which case the sale shall be taxed at the rate generally imposed by this state; and provided further that sales of tangible personal property to be used in other states or countries as part of a maintenance contract shall be specifically exempt; or (ii) which the seller delivers to a common carrier for delivery outside Minnesota, places in the United States mail or parcel post directed to the purchaser outside Minnesota, or delivers to the purchaser outside Minnesota by means of the seller's own delivery vehicles, and which is not thereafter returned to a point within Minnesota, except in the course of interstate commerce;

(e) The gross receipts from the sale of packing materials used to pack and ship household goods, the ultimate destination of which is outside the state of Minnesota and which are not thereafter returned to a point within Minnesota, except in the course of interstate commerce;

(f) The gross receipts from the sale of and storage, use or consumption of petroleum products upon which a tax has been imposed under the provisions of chapter 296, whether or not any part of said tax may be subsequently refunded;

(g) The gross receipts from the sale of clothing and wearing apparel except the following:

(i) all articles commonly or commercially known as jewelry, whether real or imitation; pearls, precious and semi-precious

stones, and imitations thereof; articles made of, or ornamented, mounted or fitted with precious metals or imitations thereof; watches; clocks; cases and movements for watches and clocks; gold, gold-plated, silver, or sterling flatware or hollow ware and silver-plated hollow ware; opera glasses; lorgnettes; marine glasses; field glasses and binoculars.

(ii) articles made of fur on the hide or pelt, and articles of which such fur is the component material or chief value, but only if such value is more than three times the value of the next most valuable component material.

(iii) perfume, essences, extracts, toilet waters, cosmetics, petroleum jellies, hair oils, pomades, hair dressings, hair restoratives, hair dyes, aromatic cachous and toilet powders. The tax imposed by this act shall not apply to lotion, oil, powder, or other article intended to be used or applied only in the case of babies.

(iv) trunks, valises, traveling bags, suitcases, satchels, overnight bags, hat boxes for use by travelers, beach bags, bathing suit bags, brief cases made of leather or imitation leather, salesmen's sample and display cases, purses, handbags, pocketbooks, wallets, billfolds, card, pass, and key cases and toilet cases.

(h) the gross receipts from the sale of and the storage, use, or consumption of all materials, including chemicals, fuels, petroleum products, lubricants, packaging materials, including returnable containers used in packaging food and beverage products, feeds, seeds, fertilizers, electricity, gas and steam, used or consumed in agricultural or industrial production of personal property intended to be sold ultimately at retail, whether or not the item so used becomes an ingredient or constituent part of the property produced. Such production shall include, but is not limited to, research, development, design or production of any tangible personal property, manufacturing, processing (other than by restaurants and consumers) of agricultural products whether vegetable or animal, commercial fishing, refining, smelting, reducing, brewing, distilling, printing, mining, quarrying, lumbering, generating electricity and the production of road building materials. Such production shall not include painting, cleaning, repairing or similar processing of property except as part of the original manufacturing process. Machinery, equipment, implements, tools, accessories, appliances, contrivances, furniture and fixtures, used in such production and fuel, electricity, gas or steam used for space heating or lighting, are not included within this exemption; however, accessory tools, equipment and other short lived items, which are separate detachable units used in producing a direct effect upon the product, where such items have an ordinary useful life of less than 12 months, are included within the exemption provided herein;

(i) The gross receipts from the sale of and storage, use or other consumption in Minnesota of tangible personal property

(except as provided in section 297A.14) which is used or consumed in producing any publication regularly issued at average intervals not exceeding three months, and any such publication. For purposes of this subsection, "publication" as used herein shall include, without limiting the foregoing, a legal newspaper as defined by Minnesota Statutes 1965, section 331.02, and any supplements or enclosures with or part of said newspaper; and the gross receipts of any advertising contained therein or therewith shall be exempt. For this purpose, advertising in any such publication shall be deemed to be a service and not tangible personal property, and persons or their agents who publish or sell such newspapers shall be deemed to be engaging in a service with respect to gross receipts realized from such newsgathering or publishing activities by them, including the sale of advertising. The term "publication" shall not include magazines and periodicals sold over the counter. Machinery, equipment, implements, tools, accessories, appliances, contrivances, furniture and fixtures used in such publication and fuel, electricity, gas or steam used for space heating or lighting, are not exempt;

(j) The gross receipts from all sales, including sales in which title is retained by a seller or a vendor or is assigned to a third party under an installment sale or lease purchase agreement under section 465.71, of tangible personal property to, and all storage, use or consumption of such property by, the United States and its agencies and instrumentalities or a state and its agencies, instrumentalities and political subdivisions. Sales exempted by this clause include sales pursuant to section 297A.01, subdivision 3, clauses (d) and (f). This exemption shall not apply to building, construction or reconstruction materials purchased by a contractor or a subcontractor as a part of a lump-sum contract or similar type of contract with a guaranteed maximum price covering both labor and materials for use in the construction, alteration or repair of a building or facility. This exemption does not apply to construction materials purchased by tax exempt entities or their contractors to be used in constructing buildings or facilities which will not be used principally by the tax exempt entities;

(k) The gross receipts from the isolated or occasional sale of tangible personal property in Minnesota not made in the normal course of business of selling that kind of property, and the storage, use, or consumption of property acquired as a result of such a sale. For purposes of this clause, sales by a nonprofit organization shall be deemed to be "isolated or occasional" if they occur at sale events that have a duration of three or fewer consecutive days. The granting of the privilege of admission to places of amusement and the privilege of use of amusement devices by a nonprofit organization at an isolated or occasional event conducted on property owned or leased for a continuous period of more than 30 days by the nonprofit organization are also exempt. The exemption provided for isolated sales of tangible personal property and of the granting of admissions or the

privilege of use of amusement devices by nonprofit organizations pursuant to this clause shall be available only if the sum of the days on which the organization and any subsidiary nonprofit organization sponsored by it that does not have a separate sales tax exemption permit conduct sales of tangible personal property, plus the days with respect to which the organization charges for the use of amusement devices or admission to places of amusement, does not exceed eight days in a calendar year. For purposes of this clause, a "nonprofit organization" means any corporation, society, association, foundation, or institution organized and operated exclusively for charitable, religious, or educational purposes, no part of the net earnings of which inures to the benefit of a private individual;

(l) The gross receipts from sales of rolling stock and the storage, use, or other consumption of such property by railroads, freight line companies, sleeping car companies and express companies taxed on the gross earnings basis in lieu of ad valorem taxes. For purposes of this clause "rolling stock" is defined as the portable or moving apparatus and machinery of any such company which moves on the road, and includes, but is not limited to, engines, cars, tenders, coaches, sleeping cars and parts necessary for the repair and maintenance of such rolling stock.

(m) The gross receipts from sales of airflight equipment and the storage, use or other consumption of such property by airline companies taxed under the provisions of sections 270.071 to 270.079. For purposes of this clause, "airflight equipment" includes airplanes and parts necessary for the repair and maintenance of such airflight equipment, and flight simulators.

(n) The gross receipts from the sale of telephone central office telephone equipment used in furnishing intrastate and interstate telephone service to the public.

(o) The gross receipts from the sale of and the storage, use or other consumption by persons taxed under the in lieu provisions of chapter 298, of mill liners, grinding rods and grinding balls which are substantially consumed in the production of taconite, the material of which primarily is added to and becomes a part of the material being processed.

(p) The gross receipts from the sale of tangible personal property to, and the storage, use or other consumption of such property by, any corporation, society, association, foundation, or institution organized and operated exclusively for charitable, religious or educational purposes if the property purchased is to be used in the performance of charitable, religious or educational functions, or any senior citizen group or association of groups that in general limits membership to persons age 55 or older and is organized and operated exclusively for pleasure, recreation and other nonprofit purposes, no part of the net earnings

of which inures to the benefit of any private shareholders. Sales exempted by this clause include sales pursuant to section 297A.-01, subdivision 3, clauses (d) and (f). This exemption shall not apply to building, construction or reconstruction materials purchased by a contractor or a subcontractor as a part of a lump-sum contract or similar type of contract with a guaranteed maximum price covering both labor and materials for use in the construction, alteration or repair of a building or facility. This exemption does not apply to construction materials purchased by tax exempt entities or their contractors to be used in constructing buildings or facilities which will not be used principally by the tax exempt entities;

(q) The gross receipts from the sale of caskets and burial vaults;

(r) The gross receipts from the sale of an automobile or other conveyance if the purchaser is assisted by a grant from the United States in accordance with 38 United States Code, section 1901, as amended.

(s) The gross receipts from the sale to the licensed aircraft dealer of an aircraft for which a commercial use permit has been issued pursuant to section 360.654, if the aircraft is resold while the permit is in effect.

(t) The gross receipts from the sale of building materials to be used in the construction or remodeling of a residence when the construction or remodeling is financed in whole or in part by the United States in accordance with 38 United States Code, sections 801 to 805, as amended. This exemption shall not be effective at time of sale of the materials to contractors, subcontractors, builders or owners, but shall be applicable only upon a claim for refund to the commissioner of revenue filed by recipients of the benefits provided in title 38 United States Code, chapter 21, as amended. The commissioner shall provide by regulation for the refund of taxes paid on sales exempt in accordance with this paragraph.

(u) The gross receipts from the sale of textbooks which are prescribed for use in conjunction with a course of study in a public or private school, college, university and business or trade school to students who are regularly enrolled at such institutions. For purposes of this clause a "public school" is defined as one that furnishes course of study, enrollment and staff that meets standards of the state board of education and a private school is one which under the standards of the state board of education, provides an education substantially equivalent to that furnished at a public school. Business and trade schools shall mean such schools licensed pursuant to section 141.25.

(v) The gross receipts from the sale of and the storage of material designed to advertise and promote the sale of mer-

chandise or services, which material is purchased and stored for the purpose of subsequently shipping or otherwise transferring outside the state by the purchaser for use thereafter solely outside the state of Minnesota.

(w) The gross receipt from the sale of residential heating fuels in the following manner:

(i) all fuel oil, coal, wood, steam, propane gas, and L.P. gas sold to residential customers for residential use;

(ii) natural gas sold for residential use to customers who are metered and billed as residential users and who use natural gas for their primary source of residential heat, for the billing months of November, December, January, February, March and April;

(iii) electricity sold for residential use to customers who are metered and billed as residential users and who use electricity for their primary source of residential heat, for the billing months of November, December, January, February, March and April.

(x) The gross receipts from the sale or use of tickets or admissions to the premises of or events sponsored by an association, corporation or other group of persons which provides an opportunity for citizens of the state to participate in the creation, performance or appreciation of the arts and which qualifies as a tax-exempt organization within the meaning of Minnesota Statutes 1980, section 290.05, subdivision 1, clause (i).

(y) The gross receipts from either the sales to or the storage, use or consumption of tangible personal property by an organization of military service veterans or an auxiliary unit of an organization of military service veterans, provided that:

(i) the organization or auxiliary unit is organized within the state of Minnesota and is exempt from federal taxation pursuant to section 501(c), clause (19), of the Internal Revenue Code as amended through December 31, 1982; and

(ii) the tangible personal property which is sold to or stored, used or consumed by the organization or auxiliary unit is for charitable, civic, educational, or nonprofit uses and not for social, recreational, pleasure or profit uses.

(z) The gross receipts from the sale of sanitary napkins, tampons, or similar items used for feminine hygiene.

(aa) *The gross receipts from the sale or exchange of gold, silver, bullion, and other precious metals if purchased, sold or otherwise acquired solely for investment purposes by a customer*

or client of a registered securities broker-dealer licensed under chapter 80A."

Re-number remaining section

Page 2 of the Neuenschwander amendment, line 12, delete "Section 1 is" and insert "Sections 1 and 2 are"

Further amend the title:

Page 2 of the Neuenschwander amendment, line 15, after the semicolon, insert "exempting gold and silver bullion;"

Page 2 of the Neuenschwander amendment, line 17, delete the period and insert "; and Minnesota Statutes 1983 Supplement, section 297A.25, subdivision 1."

A roll call was requested and properly seconded.

The question was taken on the amendment to the amendment and the roll was called. There were 80 yeas and 49 nays as follows:

Those who voted in the affirmative were:

Anderson, B.	Evans	Johnson	Omann	Segal
Anderson, G.	Findlay	Knickerbocker	Onnen	Shaver
Anderson, R.	Fjoslien	Knuth	Pauly	Sherman
Beard	Forsythe	Krueger	Piepho	Stadum
Bennett	Frerichs	Kvam	Price	Sviggum
Bishop	Graba	Larsen	Quist	Thiede
Blatz	Gruenes	Long	Redalen	Tomlinson
Boo	Gutknecht	Ludeman	Reif	Tunheim
Brinkman	Halberg	Mann	Rice	Uphus
Burger	Haukoos	Marsh	Rodosovich	Valan
Carlson, D.	Heap	McDonald	Rodriguez, C.	Valento
Coleman	Heinitz	McKasy	Rose	Waltman
Dempsey	Himle	Munger	Schafer	Weiker
DenOuden	Hoffman	Nelson, D.	Schoenfeld	Wenzel
Dimler	Hokr	Neuenschwander	Schreiber	Wigley
Erickson	Jennings	Olsen	Seaberg	Zaffke

Those who voted in the negative were:

Battaglia	Elioff	Metzen	Piper	Staten
Begich	Ellingson	Minne	Quinn	Swanson
Bergstrom	Greenfield	Murphy	Riveness	Vanasek
Brandl	Gustafson	Nelson, K.	Rodriguez, F.	Vellenga
Carlson, L.	Jacobs	Norton	St. Onge	Yoss
Clark, J.	Jensen	O'Connor	Sarna	Welch
Clark, K.	Kahn	Ogren	Scheid	Welle
Clawson	Kelly	Osthoff	Simoneau	Wynia
Cohen	Kostohryz	Otis	Skoglund	Speaker Sieben
Eken	McEachern	Peterson	Soiberg	

The motion prevailed and the amendment to the amendment was adopted.

The question recurred on the Neuenschwander amendment, as amended, to H. F. No. 966, the first engrossment. The motion prevailed and the amendment, as amended, was adopted.

Vellenga was excused between the hours of 2:45 p.m. and 4:30 p.m.

H. F. No. 966, A bill for an act relating to taxation; sales; including logging equipment in the definition of farm machinery; exempting gold and silver bullion; amending Minnesota Statutes 1982, section 297A.01, subdivision 15; and Minnesota Statutes 1983 Supplement, section 297A.25, subdivision 1.

The bill was read for the third time, as amended, and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 116 yeas and 9 nays as follows:

Those who voted in the affirmative were:

Anderson, B.	Erickson	Kostohryz	Peterson	Simoneau
Anderson, G.	Evans	Krueger	Piepho	Solberg
Anderson, R.	Findlay	Kvam	Piper	Stadum
Battaglia	Fjoslien	Larsen	Price	Sviggum
Beard	Forsythe	Long	Quinn	Swanson
Begich	Frerichs	Ludeman	Quist	Thiede
Bennett	Graba	Mann	Redalen	Tomlinson
Bergstrom	Gruenes	Marsh	Reif	Tunheim
Bishop	Gustafson	McDonald	Rice	Uphus
Blatz	Gutknecht	McEachern	Riveness	Valan
Boo	Halberg	McKasy	Rodosovich	Valento
Brinkman	Haukoos	Metzen	Rodriguez, C.	Vanasek
Burger	Heap	Minne	Rodriguez, F.	Voss
Carlson, D.	Heinitz	Munger	Rose	Waltman
Carlson, L.	Himle	Murphy	St. Onge	Welch
Clark, J.	Hoffman	Nelson, D.	Sarna	Welle
Clawson	Hokr	Nelson, K.	Schafer	Wenzel
Cohen	Jacobs	Neuenschwander	Schoenfeld	Wigley
Coleman	Jennings	Norton	Schreiber	Zaffke
Dempsey	Jensen	Ogren	Seaberg	Speaker Sieben
DenOuden	Johnson	Olsen	Segal	
Dimler	Kahn	Omann	Shaver	
Eken	Knickerbocker	Onnen	Shea	
Elioff	Knuth	Pauly	Sherman	

Those who voted in the negative were:

Brandl	Greenfield	O'Connor	Scheid	Staten
Clark, K.	Kelly	Osthoff	Skoglund	

The bill was passed, as amended, and its title agreed to.

H. F. No. 1588 was reported to the House.

Sviggum moved to amend H. F. No. 1588, the second engrossment, as follows:

Page 6, line 13, after the second comma, insert "or"

Page 6, line 13, after "rehabilitation" strike ", or other"

Page 6, line 14, delete the new language

The motion did not prevail and the amendment was not adopted.

The Speaker resumed the Chair.

H. F. No. 1588, A bill for an act relating to public welfare; clarifying eligibility requirements for the state general assistance program; reducing certain appropriations; amending Minnesota Statutes 1982, sections 256D.02, subdivisions 6 and 8, and by adding a subdivision; 256D.06, subdivision 3; and 256D.15; Minnesota Statutes 1983 Supplement, sections 256D.01, subdivision 1; and 256D.111, subdivisions 1, 2, and 5.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 126 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Anderson, B.	Ellingson	Krueger	Peterson	Solberg
Anderson, G.	Erickson	Kvam	Piepho	Sparby
Anderson, R.	Findlay	Larsen	Piper	Stadum
Battaglia	Fjoslien	Long	Price	Staten
Beard	Forsythe	Ludeman	Quinn	Sviggum
Begich	Graba	Mann	Quist	Swanson
Bennett	Greenfield	Marsh	Redalen	Thiede
Bergstrom	Cruenes	McDonald	Reif	Tunheim
Bishop	Gustafson	McEachern	Riveness	Uphus
Blatz	Gutknecht	McKasy	Rodosovich	Valan
Boo	Halberg	Metzen	Rodriguez, C.	Valento
Brandl	Haukoos	Minne	Rodriguez, F.	Vanasek
Brinkman	Heap	Munger	Rose	Voss
Burger	Heinitz	Murphy	St. Onge	Waltman
Carlson, D.	Himle	Nelson, D.	Sarna	Welch
Carlson, L.	Hoffman	Nelson, K.	Schafer	Welker
Clark, J.	Hokr	Neuenschwander	Scheid	Welle
Clark, K.	Jacobs	Norton	Schoenfeld	Wenzel
Clawson	Jennings	O'Connor	Schreiber	Wigley
Cohen	Jensen	Ogren	Seaberg	Wynia
Coleman	Johnson	Olsen	Segal	Zaffke
Dempsey	Kahn	Omann	Shaver	Speaker Sieben
DenOuden	Kelly	Onnen	Shea	
Dimler	Knickerbocker	Osthoff	Sherman	
Eken	Knuth	Otis	Simoneau	
Elioff	Kostohryz	Pauly	Skoglund	

The bill was passed and its title agreed to.

H. F. No. 1678 was reported to the House.

Erickson moved to amend H. F. No. 1678, the third engrossment, as follows:

Page 56, after line 30, add a section to read as follows:

“Sec. 57. Minnesota Statutes 1982, section 67A.241, subdivision 2, is amended to read:

Subd. 2. [EXTERNAL EXAMINATION OF COMPANY RECORDS AND ACCOUNTS.] (a) The board of directors of every township mutual insurance company shall, at least once every three years, cause the records and accounts of the company to be examined by an independent public accountant, auditor, or person who has been certified by the society of financial examiners. The examination shall cover the financial and business affairs including the treatment of members and claimants of the company during the previous three years ending December 31.

(b) A written summary report of the pertinent results of the examination shall immediately be filed with each member of the board of directors following completion of the examination. A complete examination report shall be filed with the board of directors and the commissioner within 60 days following completion of the examination.

(c) The accountant, auditor, or certified financial examiner conducting or supervising the examination must have a minimum of five years' experience in public accounting or examining the financial records or statements of financial institutions and shall not be an officer (,) or employee (, OR MEMBER) of the company being examined. The examiner must not be directly involved in maintaining the records being examined, but may advise or counsel management in recordkeeping, accounting, or management procedures.”

Renumber the sections accordingly.

Correct internal references.

Amend the title as follows:

Page 2, line 4, after the semicolon insert “67A.241, subdivision 2;”

The motion prevailed and the amendment was adopted.

Skoglund moved to amend H. F. No. 1678; the third engrossment, as amended, as follows:

Page 4, line 7, after the word “statements” insert “, but the fee shall not be more than 50 percent greater than the fee set

by the National Association of Insurance Commissioners on January 1, 1984"

Page 42, line 8, after the period insert "In making a determination under this section, the commissioner may require the insurer to provide rates and advertising materials related to policies issued or delivered in this state."

Page 66, line 27, delete the new language and reinstate the stricken "13"

Page 66, line 28, delete "including," strike "the commissioners of"

Page 66, line 28, delete "commerce" and strike "and labor and"

Page 66, line 29, strike "industry"

The motion prevailed and the amendment was adopted.

H. F. No. 1678, as amended, was read for the third time.

MOTION FOR RECONSIDERATION

Swanson moved that the action whereby H. F. No. 1678, as amended, was given its third reading be now reconsidered. The motion prevailed.

Swanson moved to amend H. F. No. 1678, the third engrossment, as amended, as follows:

Pages 43 and 44, delete sections 43 and 44

Amend the title as follows:

Page 2, line 1, delete "62E.14, subdivision 1; 62E.15, subdivision 3;"

The motion did not prevail and the amendment was not adopted.

H. F. No. 1678, A bill for an act relating to insurance; clarifying annual statement filing requirements; providing for the suspension of authority of self-insurance entities or self-insurers; modifying certain existing fees and providing certain new fees; providing for the approval of certain life insurance policies by the commissioner; transferring certain duties of the commissioner of commerce to the commissioner of revenue; establishing certain taxation filing requirements; providing for agent license

renewals; authorizing the issuance of orders to show cause relating to license revocations; clarifying continuing education reporting requirements; modifying certain insurance licensing dates; providing for the service of process on foreign companies and unauthorized insurers; removing the countersignature requirement for certain bid bonds and insurance policies; clarifying policy form filing requirements; describing certain requirements for enrollment in the comprehensive health insurance plan; increasing the agents referral fee under the comprehensive health insurance plan; providing for the use of health insurance claim forms; providing for the use of fire insurance binders; modifying the definitions of "motorcycle," "motor vehicle," "policy," and "utility vehicle" for purposes of automobile insurance regulation; increasing certain liability coverage on automobile insurance plan policies; providing for the cancellation or nonrenewal of a policy; defining "plan of reparation security"; requiring certain premium reports to be filed with the commissioner; prohibiting discrimination based on sex or marital status; modifying the expiration date of adjuster's licenses; providing for the appointment of the board of the compensation reinsurance association; clarifying the powers of the commissioner regarding audits of the compensation reinsurance association; making various technical changes; providing remedies; prescribing penalties; appropriating money; amending Minnesota Statutes 1982, sections 60A.13, subdivision 6, and by adding a subdivision; 60A.15, subdivisions 1, 2, 2a, 6, 8, 9, 10, and by adding subdivisions; 60A.17, subdivisions 3, 5b, and by adding a subdivision; 60A.18, subdivision 3; 60A.19, subdivisions 4 and 8; 60A.199; 60A.21, subdivision 2; 60A.23, subdivision 5; 61A.02; 61A.03, by adding a subdivision; 62A.025; 62E.14, subdivision 1; 62E.15, subdivision 3; 65A.03; 65B.001, subdivision 4; 65B.06, subdivision 2; 65B.14, subdivisions 2 and 3; 65B.16; 65B.19; 65B.43, subdivisions 2, 13, and by adding a subdivision; 67A.241, subdivision 2; 69.021, subdivisions 1, 2, 3, and by adding a subdivision; 69.58; 69.59; 72A.061, subdivision 2; 72A.07; 72A.20, by adding a subdivision; 72A.23, subdivision 1; 72B.04, subdivisions 7 and 10; 79.10; 79.39; 176.181, subdivision 2, and by adding a subdivision; 271.01, subdivision 5; 299F.21; 299F.22; 299F.23; 299F.24; 299F.26, subdivisions 1 and 2; 424.165, subdivision 1; and 574.32; Minnesota Statutes 1983 Supplement, sections 60A.05; 60A.14, subdivision 1; 60A.15, subdivision 12; 60A.17, subdivisions 1a, 1d, and 6c; 60A.1701, subdivisions 5, 10, and 11; 60A.198, subdivision 3; 65A.01, subdivision 3; 65B.17, subdivision 1; 69.011, subdivision 1; and 79.37; proposing new law coded in Minnesota Statutes, chapters 60A and 61A; repealing Minnesota Statutes 1982, sections 65B.15, subdivision 3; 65B.48, subdivision 8; and 69.031, subdivision 6.

The bill was read for the third time, as amended, and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 126 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Anderson, B.	Erickson	Krueger	Peterson	Solberg
Anderson, G.	Evans	Kvam	Piepho	Sparby
Anderson, R.	Findlay	Larsen	Piper	Stadum
Battaglia	Fjoslien	Long	Price	Staten
Beard	Forsythe	Ludeman	Quinn	Sviggum
Begich	Frerichs	Mann	Quist	Swanson
Bennett	Graba	Marsh	Redalen	Thiede
Bergstrom	Greenfield	McDonald	Reif	Tomlinson
Bishop	Gruenes	McEachern	Rice	Tunheim
Blatz	Gustafson	McKasy	Riveness	Uphus
Boo	Gutknecht	Metzen	Rodosovich	Valan
Brandl	Haukoos	Minne	Rodriguez, C.	Valento
Brinkman	Heap	Munger	Rodriguez, F.	Vanasek
Burger	Heinitz	Murphy	Rose	Voss
Carlson, D.	Himle	Nelson, D.	St. Onge	Waltman
Carlson, L.	Hoffman	Nelson, K.	Sarna	Welch
Clark, J.	Hokr	Neuenschwander	Schafer	Welker
Clark, K.	Jacobs	Norton	Scheid	Welle
Clawson	Jennings	O'Connor	Schoenfeld	Wenzel
Cohen	Jensen	Ogren	Schreiber	Wigley
Coleman	Johnson	Olsen	Seaberg	Zaffke
Dempsey	Kahn	Omann	Segal	Speaker Sieben
DenOuden	Kelly	Onnen	Shaver	
Eken	Knickerbocker	Osthoff	Sherman	
Elioff	Knuth	Otis	Simoneau	
Ellingson	Kostohryz	Pauly	Skoglund	

The bill was passed, as amended, and its title agreed to.

H. F. No. 1237, A bill for an act relating to agriculture; establishing a program to encourage milk consumption in schools; creating a special account in the treasury; appropriating money; proposing new law coded in Minnesota Statutes, chapter 121.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 123 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Anderson, B.	Clark, K.	Greenfield	Knuth	O'Connor
Anderson, C.	Clawson	Gruenes	Krueger	Ogren
Anderson, R.	Cohen	Gustafson	Larsen	Olsen
Battaglia	Coleman	Gutknecht	Long	Omann
Beard	Dempsey	Halberg	Ludeman	Onnen
Begich	DenOuden	Haukoos	Mann	Osthoff
Bennett	Dimler	Heap	Marsh	Otis
Bergstrom	Eken	Heinitz	McDonald	Pauly
Bishop	Elioff	Himle	McEachern	Peterson
Blatz	Ellingson	Hoffman	McKasy	Piepho
Boo	Erickson	Jacobs	Metzen	Piper
Brandl	Evans	Jennings	Munger	Price
Brinkman	Findlay	Jensen	Murphy	Quinn
Burger	Fjoslien	Johnson	Nelson, D.	Quist
Carlson, D.	Forsythe	Kahn	Nelson, K.	Redalen
Carlson, L.	Frerichs	Kelly	Neuenschwander	Reif
Clark, J.	Graba	Knickerbocker	Norton	Rice

Riveness	Scheid	Simoneau	Tunheim	Welker
Rodosovich	Schoenfeld	Skoglund	Uphus	Welle
Rodriguez, C.	Schreiber	Solberg	Valan	Wenzel
Rodriguez, F.	Seaberg	Sparby	Valento	Wigley
Rose	Segal	Stadum	Vanasek	Zaffke
St. Onge	Shaver	Svigum	Voss	Speaker Sieben
Sarna	Shea	Swanson	Waltman	
Schafer	Sherman	Thiede	Welch	

The bill was passed and its title agreed to.

H. F. No. 1769, A bill for an act relating to water pollution control; establishing an independent state grants program for the construction of municipal wastewater treatment facilities; appropriating money; amending Minnesota Statutes 1982, sections 115.03, subdivision 1; 116.16, subdivisions 2, 4, 5, 9, and by adding a subdivision; 116.18, subdivisions 2 and 4, and by adding subdivisions; Minnesota Statutes 1983 Supplement, section 116.18, subdivision 1; repealing Minnesota Statutes 1982, section 116.16, subdivisions 6 and 7.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 122 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Anderson, B.	Ellingson	Kvam	Peterson	Solberg
Anderson, G.	Erickson	Larsen	Piepho	Sparby
Anderson, R.	Evans	Long	Piper	Stadum
Battaglia	Findlay	Ludeman	Price	Staten
Beard	Fjoslien	Mann	Quinn	Swanson
Begich	Forsythe	Marsh	Quist	Thiede
Bennett	Frerichs	McDonald	Redalen	Tomlinson
Bergstrom	Graba	McEachern	Reif	Tunheim
Bishop	Greenfield	McKasy	Rice	Uphus
Blatz	Gruenes	Metzen	Rodosovich	Valan
Boo	Gustafson	Minne	Rodriguez, C.	Valento
Brandl	Gutknecht	Munger	Rodriguez, F.	Vanasek
Brinkman	Haukoos	Murphy	Rose	Voss
Burger	Heap	Nelson, D.	St. Onge	Waltman
Carlson, L.	Hoffman	Nelson, K.	Sarna	Welch
Clark, J.	Hokr	Neuenschwander	Schafer	Welker
Clark, K.	Jacobs	Norton	Scheid	Welle
Clawson	Jennings	O'Connor	Schoenfeld	Wenzel
Cohen	Jensen	Ogren	Seaberg	Wigley
Coleman	Johnson	Olsen	Segal	Wynia
Dempsey	Kahn	Omman	Shaver	Zaffke
DenOuden	Kelly	Onnen	Shea	Speaker Sieben
Dimler	Knickerbocker	Osthoff	Sherman	
Eken	Knuth	Otis	Simoneau	
Elioff	Krueger	Pauly	Skoglund	

The bill was passed and its title agreed to.

Erickson was excused while in conference.

H. F. No. 49, A bill for an act relating to holidays; establishing Martin Luther King's birthday as a holiday; ending observation of Martin Luther King's birthday in public schools on January 15; prohibiting school districts and state colleges from conducting classes on Martin Luther King's birthday; amending Minnesota Statutes 1982, sections 126.10; 126.13; 136.22; and 645.44, subdivision 5.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 88 yeas and 15 nays as follows:

Those who voted in the affirmative were:

Battaglia	Graba	Larsen	Piper	Simoneau
Beard	Greenfield	Mann	Price	Skoglund
Bergström	Gruenes	McKasy	Quinn	Sparby
Blatz	Gustafson	Minne	Reif	Staten
Boo	Gutknecht	Murphy	Rice	Swanson
Brändl	Halberg	Nelson, D.	Riveness	Tomlinson
Burger	Heap	Nelson, K.	Rodosovich	Tunheim
Carlson, L.	Himle	Neuenschwander	Rodriguez, F.	Uphus
Clark, J.	Hoffman	Norton	St. Onge	Vanasek
Clark, K.	Hökr	O'Connor	Sarna	Voss
Clawson	Jacobs	Ogren	Scheid	Waltman
Cohen	Jensen	Olsen	Schoenfeld	Welle
Coleman	Kahn	Omann	Schreiber	Wenzel
Eken	Kelly	Onnen	Seaberg	Wynia
Elioff	Knickerbocker	Osthoff	Segal	Zaffke
Ellingson	Knuth	Otis	Shaver	Speaker Sichen
Evans	Kostohryz	Pauly	Shea	
Forsythe	Krueger	Peterson	Sherman	

Those who voted in the negative were:

Dempsey	Fjoslien	Jennings	Piepho	Thiede
DenOuden	Frerichs	Ludeman	Schafer	Welker
Findlay	Haukoos	Marsh	Stadum	Wigley

The bill was passed and its title agreed to.

H. F. No. 2188, A bill for an act relating to Indians; providing for partial settlement of Indian land claims on the White Earth Reservation; appropriating money.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 111 yeas and 7 nays as follows:

Those who voted in the affirmative were:

Anderson, B.	Fjoslien	Mann	Piper	Sparby
Anderson, G.	Forsythe	Marsh	Price	Stadum
Anderson, R.	Frerichs	McDonald	Quinn	Swanson
Battaglia	Graba	McEachern	Quist	Thiede
Beard	Grunes	McKasy	Reif	Tunheim
Begich	Gustafson	Metzen	Rice	Uphus
Bennett	Gutknecht	Minne	Rodosovich	Valan
Bergstrom	Halberg	Munger	Rodriguez, C.	Valente
Bishop	Haukoos	Murphy	Rodriguez, F.	Vanasek
Blatz	Heap	Nelson, D.	Rose	Voss
Boo	Himle	Nelson, K.	St. Onge	Waltman
Burger	Hoffman	Neuenschwander	Sarna	Welch
Carlson, L.	Hokr	Norton	Schafer	Welker
Clawson	Jacobs	O'Connor	Schoenfeld	Welle
Cohen	Jennings	Ogren	Schreiber	Wenzel
Dempsey	Jensen	Olsen	Seaberg	Wigley
DenOuden	Johnson	Omann	Segal	Wynia
Dimler	Kahn	Onnen	Shaver	Zaffke
Eken	Knickerbocker	Osthoff	Shea	Speaker Sieben
Elioff	Kostohryz	Otis	Sherman	
Ellingson	Krueger	Pauly	Simoneau	
Evans	Larsen	Peterson	Skoglund	
Findlay	Ludeman	Piepho	Solberg	

Those who voted in the negative were:

Brandl	Clark, K.	Greenfield	Knuth	Staten
Clark, J.	Coleman			

The bill was passed and its title agreed to.

H. F. No. 1966 was reported to the House.

Greenfield moved to amend H. F. No. 1966, the second engrossment, as follows:

Page 27, line 30, after "23," insert "24,"

Page 27, line 36, delete everything after the first period.

The motion prevailed and the amendment was adopted.

Simoneau and Rodriguez, C., moved to amend H. F. No. 1966, the second engrossment, as amended, as follows:

Page 2, after line 25, insert:

"Sec. 2. [144.561] [RESTRICTION OF NAME AND DESCRIPTION OF CERTAIN MEDICAL FACILITIES.]

Subdivision 1. [DEFINITIONS.] For purposes of this section, the following words have the meanings given to them:

(a) "Person" means an individual, partnership, association, corporation, state, county or local governmental unit or a division, department, board or agency of a governmental unit.

(b) "Medical facility" means an institution, office, clinic, or building, not attached to a licensed hospital, where medical services for the diagnosis or treatment of illness or injury or the maintenance of health are offered in an outpatient or ambulatory setting.

Subd. 2. [PROHIBITION.] No person shall use the words "emergency," "emergent," "trauma," "critical," or any form of those words or any words which suggests, offers or implies the availability of immediate care for any medical condition likely to cause death, disability or serious illness in the name of any medical facilities, or in advertising, publications or signs identifying the medical facility unless the facility is licensed under the provisions of section 144.50."

Renumber the subsequent sections

Correct internal references

Amend the title as follows:

Page 1, line 4, after the semi-colon insert "restricting the use of certain descriptive words to certain licensed facilities;"

Page 1, line 34, after "chapters" insert "144;"

The motion prevailed and the amendment was adopted.

H. F. No. 1966, A bill for an act relating to public welfare; providing for the collection of statistical data by the department of health on dissolutions and annulments; restricting the use of certain descriptive words to certain licensed facilities; providing for collection of health care cost information; limiting relative responsibility for state hospital costs; providing appeal rights for former recipients of public assistance; limiting medical assistance and general assistance reimbursements for chemical dependency treatment; extending temporary rulemaking authority for prospective payments for inpatient hospital services; expanding medical assistance eligibility for certain persons; eliminating the requirement that the commissioner seek a co-payment waiver for HMO enrollees under medical assistance; clarifying existing language relating to asset transfers; increasing the personal needs allowance; allowing reimbursement for additional services under general assistance medical care; providing for recoupment of overpayments in the general assistance and supplemental aid programs; requiring county investigations; requiring a cost-of-living adjustment to the schedule of contribution of a noninstitutionalized spouse; appropriating money; amending Minnesota Statutes 1982, sections 144.224; 144.695; 144.696; 144.698; 144.699; 144.701; 144.702; 144.703; 246.50;

subdivision 6; 256.045, subdivisions 2, 4, 5, and 7; 256B.17, as amended; 256B.19, subdivision 1; 256B.35, subdivision 1; 256D.-06, by adding a subdivision; 261.035; Minnesota Statutes 1983 Supplement, sections 256.045, subdivision 3; 256.968; 256.969, subdivisions 2 and 6; and 256B.06, subdivision 1; 256D.03, subdivision 4; proposing new law coded in Minnesota Statutes, chapters 144; 256D and 518; repealing Minnesota Statutes 1982, sections 144.7021; 144.704; and 144.705.

The bill was read for the third time, as amended, and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 119 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Anderson, B.	Evans	Kostohryz	Pauly	Shea
Anderson, G.	Findlay	Krueger	Peterson	Sherman
Anderson, R.	Fjoslien	Larsen	Piepho	Simoneau
Battaglia	Forsythe	Ludeman	Piper	Skoglund
Beard	Frerichs	Mann	Price	Stadum
Begich	Graba	Marsh	Quinn	Staten
Bennett	Gruenes	McDonald	Quist	Swanson
Bergstrom	Gustafson	McEachern	Redalen	Thiede
Bishop	Gutknecht	McKasy	Reif	Tomlinson
Blatz	Halberg	Metzen	Rice	Tunheim
Brandl	Haukoos	Minne	Riveness	Uphus
Burger	Heap	Munger	Rodosovich	Valan
Carlson, L.	Heinitz	Murphy	Rodriguez, C.	Valento
Clark, J.	Himle	Nelson, D.	Rodriguez, F.	Vanasek
Clark, K.	Hoffman	Nelson, K.	Rose	Voss
Clawson	Hokr	Neuenschwander	St. Onge	Waltman
Cohen	Jacobs	Norton	Sarna	Welch
Coleman	Jennings	O'Connor	Schafer	Welker
Dempsey	Jensen	Ogren	Scheid	Welle
DenOuden	Johnson	Olsen	Schoenfeld	Wenzel
Dimler	Kahn	Omann	Schreiber	Wigley
Eken	Kelly	Onnen	Seaberg	Wynia
Elioff	Knickerbocker	Osthoff	Segal	Zaffke
Ellingson	Knuth	Otis	Shaver	

The bill was passed, as amended, and its title agreed to.

H. F. No. 1069, A bill for an act relating to federal block grants; providing for annual legislative hearings on federal block grant implementation and effects; proposing new law coded in Minnesota Statutes, chapter 3.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 118 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Anderson, B.	Evans	Krueger	Pauly	Simoneau
Anderson, R.	Findlay	Kvam	Peterson	Skoglund
Battaglia	Fjoslien	Larsen	Piepho	Sparby
Beard	Forsythe	Ludeman	Piper	Stadum
Begich	Frerichs	Mann	Price	Staten
Bennett	Graba	Marsh	Quinn	Swanson
Bergstrom	Greenfield	McDonald	Quist	Thiede
Bishop	Gruenes	McEachern	Redalen	Tomlinson
Blatz	Gustafson	McKasy	Reif	Tunheim
Brandl	Gutknecht	Metzen	Riveness	Uphus
Brinkman	Halberg	Minne	Rodosovich	Valan
Burger	Haukoos	Munger	Rodriguez, F.	Valento
Carlson, L.	Heap	Murphy	Rose	Vanasek
Clark, J.	Heinitz	Nelson, D.	St. Onge	Voss
Clark, K.	Himle	Nelson, K.	Sarna	Waltman
Clawson	Hoffman	Neuenschwander	Schafer	Welch
Cohen	Hokr	Norton	Scheid	Welker
Coleman	Jacobs	O'Connor	Schoenfeld	Welle
Dempsey	Jennings	Ogren	Schreiber	Wenzel
DenOuden	Jensen	Olsen	Seaberg	Wynia
Dimler	Johnson	Omann	Segal	Zaffke
Eken	Kelly	Onnen	Shaver	Speaker Sieben
Elioff	Knickerbocker	Osthoff	Shea	
Ellingson	Knuth	Otis	Sherman	

The bill was passed and its title agreed to.

H. F. No. 1264 was reported to the House.

Rodriguez, F., moved to amend H. F. No. 1264, the second engrossment, as follows:

Page 1, line 25, delete "*or chilled water for cooling*" and insert "*that exceed 30 p.s.i. gage and 250 degrees Fahrenheit*"

Page 2, line 29, after "*with*" insert "*minimum*"

Page 3, line 5, delete "*cities of the first class*" and insert "*municipalities*"

The motion prevailed and the amendment was adopted.

H. F. No. 1264, A bill for an act relating to commerce; regulating pipefitters and pipefitting; amending Minnesota Statutes 1982, sections 326.46; 326.47; 326.48; and 326.50; proposing new law coded in Minnesota Statutes, chapters 175 and 326; repealing Minnesota Statutes 1982, section 326.49.

The bill was read for the third time, as amended, and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 86 yeas and 24 nays as follows:

Those who voted in the affirmative were:

Anderson, G.	Ellingson	Larsen	Osthoff	Shea
Anderson, R.	Forsythe	Mann	Otis	Sherman
Battaglia	Graba	Marsh	Pauly	Simoneau
Beard	Greenfield	McEachern	Peterson	Skoglund
Begich	Gruenes	McKasy	Piper	Staten
Bennett	Gustafson	Metzen	Price	Swanson
Bergstrom	Gutknecht	Minne	Quinn	Tomlinson
Bishop	Halberg	Munger	Rice	Tunheim
Brandl	Heap	Murphy	Rodosovich	Valan
Brinkman	Hoffman	Nelson, D.	Rodriguez, C.	Voss
Carlson, L.	Jacobs	Nelson, K.	Rodriguez, F.	Welle
Clark, J.	Jensen	Neuenschwander	Rose	Wenzel
Clark, K.	Kahn	Norton	St. Onge	Wynia
Clawson	Kelly	O'Connor	Sarna	Speaker Sieben
Cohen	Knickerbocker	Ogren	Scheid	
Coleman	Knuth	Olsen	Schoenfeld	
Dimler	Kostohryz	Omann	Seaberg	
Elioff	Krueger	Onnen	Segal	

Those who voted in the negative were:

Burger	Fjoslien	Johnson	Reif	Valente
Dempsey	Frerichs	Kvam	Schafer	Waltman
DenOuden	Haukoos	Ludeman	Svigum	Welker
Evans	Himle	McDonald	Thiede	Zaffke
Findlay	Jennings	Quist	Uphus	

The bill was passed, as amended, and its title agreed to.

H. F. No. 1689 was reported to the House.

Anderson, G., moved to amend H. F. No. 1689, the first engrossment, as follows:

Page 1, line 14, delete "South Dakota" insert "a state which borders Minnesota"

Page 1, line 16, delete "South Dakota" insert "non-"

Page 1, line 18, delete "South Dakota" insert "non-"

Page 2, line 10, delete "South Dakota" insert "all bordering states"

Page 2, line 14, delete "South Dakota" insert "that state"

Amend the title as follows:

Page 1, line 3, delete "South Dakota" insert "certain non-"

The motion prevailed and the amendment was adopted.

H. F. No. 1689, A bill for an act relating to vocational-technical education; permitting certain non-residents to attend Min-

nesota postsecondary vocational-technical schools at Minnesota resident tuition rates; authorizing the governor to renegotiate an interstate tuition reciprocity agreement; amending Minnesota Statutes 1982, section 124.565, subdivision 4, and by adding a subdivision.

The bill was read for the third time, as amended, and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 116 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Anderson, B.	Evans	Krueger	Peterson	Sparby
Anderson, G.	Findlay	Larsen	Piepho	Stadum
Anderson, R.	Fjoslien	Ludeman	Piper	Staten
Battaglia	Forsythe	Mann	Price	Sviggum
Beard	Frerichs	Marsh	Quinn	Swanson
Begich	Craba	McDonald	Quist	Thiede
Bennett	Greenfield	McEachern	Redalen	Tomlinson
Bergstrom	Gruenes	McKasy	Reif	Tunheim
Bishop	Gustafson	Metzen	Riveness	Valan
Blatz	Gutknecht	Minne	Rodosovich	Valento
Boo	Halberg	Munger	Rodriguez, C.	Vanasek
Brandl	Haukoos	Murphy	Rodriguez, F.	Voss
Burger	Heap	Nelson, D.	Rose	Waltman
Carlson, L.	Himle	Nelson, K.	St. Onge	Welch
Clark, J.	Hoffman	Neuenschwander	Schafer	Welker
Clark, K.	Hokr	Norton	Scheid	Welle
Clawson	Jacobs	O'Connor	Schoenfeld	Wenzel
Cohen	Jennings	Ogren	Schreiber	Wigley
Coleman	Jensen	Olsen	Segal	Wynia
Dempsey	Johnson	Omamm	Shaver	Zaffke
DenOuden	Kahn	Onnen	Shea	
Eken	Kelly	Osthoff	Sherman	
Elioff	Knickerbocker	Otis	Skoglund	
Ellingson	Knuth	Pauly	Solberg	

The bill was passed, as amended, and its title agreed to.

H. F. No. 820; A bill for an act relating to recreational vehicles; requiring a three-year registration fee for three-wheel off-road vehicles; requiring safety certificates of youthful operators; prescribing penalties; appropriating funds; proposing new law coded in Minnesota Statutes, chapter 84.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 73 yeas and 42 nays as follows:

Those who voted in the affirmative were:

Battaglia	Bennett	Brinkman	Clark, K.	Coleman
Beard	Bergstrom	Carlson, L.	Clawson	Eken
Begich	Brandl	Clark, J.	Cohen	Elioff

Evans	Larsen	Osthoff	Rose	Thiede
Forsythe	Long	Otis	Schoenfeld	Tomlinson
Greenfield	Mann	Pauly	Schreiber	Valento
Gustafson	McKasy	Peterson	Segal	Vanasek
Gutknecht	Minne	Piper	Shaver	Voss
Hoffman	Munger	Price	Shea	Welch
Jensen	Murphy	Reif	Simoneau	Welle
Kahn	Nelson, D.	Rice	Skoglund	Wenzel
Kelly	Neuenschwander	Riveness	Solberg	Wynia
Knickerbocker	Norton	Rodosovich	Sparby	Speaker Sieben
Knuth	Ogren	Rodriguez, C.	Staten	
Kostohryz	Oisen	Rodriguez, F.	Swanson	

Those who voted in the negative were:

Anderson, G.	Frerichs	Kalis	Piepho	Tunheim
Anderson, R.	Graba	Krueger	Quinn	Uphus
Boo	Gruenes	Kvam	Quist	Waltman
Burger	Halberg	Ludeman	St. Onge	Welker
Dempsey	Haukoos	Marsh	Sarna	Wigley
DenOuden	Himle	McDonald	Schafer	Zaffke
Dimler	Jacobs	O'Connor	Seaberg	
Findlay	Jennings	Omann	Sherman	
Fjoslien	Johnson	Onnen	Svigum	

The bill was passed and its title agreed to.

ANNOUNCEMENT BY THE SPEAKER

The Speaker announced the appointment of the following members of the House to a Conference Committee on H. F. No. 2317:

Rice; Wynia; Carlson, L.; Kahn and Anderson, R.

CONSIDERATION UNDER RULE 1.10

Pursuant to rule 1.10, Rice requested immediate consideration of H. F. Nos. 1402 and 1315; S. F. No. 1526; H. F. Nos. 1427, 1711, 1842, 1577, 1857, 1524; S. F. No. 1760; and H. F. Nos. 688 and 2051.

H. F. No. 1402, A bill for an act relating to claims against the state; providing for payment of various claims; appropriating money.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 123 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Anderson, B.	Ellingson	Knickerbocker	Osthoff	Skoglund
Anderson, G.	Erickson	Knuth	Otis	Solberg
Anderson, R.	Evans	Kostohryz	Pauly	Sparby
Battaglia	Findlay	Krueger	Peterson	Staten
Beard	Fjoslien	Kvam	Piepho	Sviggum
Begich	Forsythe	Larsen	Piper	Swanson
Bennett	Frerichs	Long	Price	Thiede
Bergstrom	Graba	Ludeman	Quinn	Tomlinson
Bishop	Greenfield	Mann	Quist	Tunheim
Blatz	Gruenes	Marsh	Reif	Uphus
Boo	Gustafson	McDonald	Rice	Valan
Brandl	Gutknecht	McEachern	Riveness	Valento
Brinkman	Halberg	McKasy	Rodosovich	Vanasek
Burger	Haukoos	Metzen	Rodriguez, C.	Voss
Carlson, L.	Heap	Minne	Rodriguez, F.	Waltman
Clark, J.	Heinitz	Murphy	Rose	Welch
Clark, K.	Himle	Nelson, D.	St. Onge	Welker
Clawson	Hoffman	Nelson, K.	Sarna	Welle
Cohen	Hokr	Neuenschwander	Schafer	Wenzel
Coleman	Jacobs	Norton	Scheid	Wigley
Dempsey	Jennings	O'Connor	Schoenfeld	Wynia
DenOuden	Jensen	Ogren	Seaberg	Zaffke
Dimler	Johnson	Olsen	Segal	Speaker Sieben
Eken	Kahn	Omann	Sherman	
Elioff	Kelly	Onnen	Simoneau	

The bill was passed and its title agreed to.

H. F. No. 1315 was reported to the House.

Ludeman moved to amend H. F. No. 1315, the second engrossment, as follows:

Page 4, strike lines 16 to 22

A roll call was requested and properly seconded.

The question was taken on the amendment and the roll was called. There were 54 yeas and 58 nays as follows:

Those who voted in the affirmative were:

Beard	Frerichs	Krueger	Pauly	Sviggum
Bishop	Graba	Kvam	Piepho	Thiede
Boo	Gruenes	Ludeman	Quinn	Tunheim
Brinkman	Gutknecht	Marsh	Quist	Uphus
Burger	Halberg	McDonald	Schafer	Valan
DenOuden	Haukoos	McKasy	Schoenfeld	Waltman
Dimler	Himle	Minne	Schreiber	Welker
Erickson	Jennings	O'Connor	Seaberg	Wenzel
Evans	Johnson	Olsen	Shaver	Wigley
Findlay	Knickerbocker	Omann	Sherman	Zaffke
Fjoslien	Kostohryz	Onnen	Stadum	

Those who voted in the negative were:

Anderson, B.	Coleman	Long	Piper	Sparby
Anderson, G.	Dempsey	Mann	Price	Swanson
Battaglia	Eken	Metzen	Rice	Valento
Begich	Elioff	Munger	Riveness	Vanasek
Bennett	Forsythe	Murphy	Rodosovich	Vellenga
Bergstrom	Greenfield	Nelson, D.	Rodriguez, C.	Voss
Brandl	Gustafson	Nelson, K.	Rose	Welch
Carlson, L.	Hoffman	Neuenschwander	St. Onge	Welle
Clark, J.	Kahn	Norton	Segal	Wynia
Clark, K.	Kelly	Ogren	Simoneau	Speaker Sieben
Clawson	Knuth	Otis	Skoglund	
Cohen	Larsen	Peterson	Solberg	

The motion did not prevail and the amendment was not adopted.

H. F. No. 1315, A bill for an act relating to bicycles; allowing bicycle registrants to donate in excess of the registration fee to pay for costs of administering and publicizing the bicycle registration program and for developing bicycle education programs and recreational facilities and trails; increasing the bicycle registration fee; providing criteria for fund allocation to political subdivisions; providing for reports to the legislature; providing for appointment of deputy registrars of bicycles; continuing the bicycle study review commission as the advisory committee on bicycling; appropriating money; amending Minnesota Statutes 1982, sections 168C.04; 168C.11; Laws 1976, chapter 199, section 14, subdivision 1.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 56 yeas and 62 nays as follows:

Those who voted in the affirmative were:

Anderson, B.	Cohen	Larsen	Piper	Simoneau
Anderson, G.	Coleman	Long	Price	Skoglund
Anderson, R.	Dempsey	Mann	Reif	Sparby
Battaglia	Elioff	Munger	Rice	Swanson
Beard	Evans	Murphy	Riveness	Vanasek
Bennett	Forsythe	Nelson, D.	Rodosovich	Vellenga
Bergstrom	Greenfield	Nelson, K.	Rodriguez, C.	Voss
Brandl	Hoffman	Neuenschwander	Rodriguez, F.	Welch
Carlson, L.	Jensen	Norton	Schoenfeld	Welle
Clark, J.	Kahn	Otis	Segal	Wynia
Clark, K.	Knuth	Peterson	Shaver	Speaker Sieben
Clawson				

Those who voted in the negative were:

Begich	Brinkman	Eken	Frerichs	Halberg
Bishop	Burger	Erickson	Graba	Haukoos
Blatz	DenOuden	Findlay	Gruenes	Heap
Boo	Dimler	Fjoslien	Gutknecht	Himle

Hokr	McDonald	Onnen	Seaberg	Valento
Jacobs	McEachern	Pauly	Shea	Waltman
Jennings	McKasy	Piepho	Sherman	Welker
Johnson	Metzen	Quinn	Stadum	Wenzel
Knickerbocker	Minne	Quist	Sviggum	Wigley
Krueger	O'Connor	Rose	Thiede	Zaffke
Kvam	Ogren	St. Onge	Tunheim	
Ludeman	Olsen	Schafer	Uphus	
Marsh	Omann	Schreiber	Valan	

The bill was not passed.

The Speaker called Wynia to the Chair.

S. F. No. 1526, A bill for an act relating to energy; directing the legislative commission on energy to prepare a policy statement on the expenditure of federal money for energy programs; requiring review of state plans to spend federal energy money; amending Minnesota Statutes 1982, section 3.351, by adding subdivisions.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 75 yeas and 45 nays as follows:

Those who voted in the affirmative were:

Anderson, G.	Ellingson	McEachern	Price	Skoglund
Battaglia	Graba	Metzen	Quinn	Solberg
Beard	Greenfield	Minne	Rice	Sparby
Begich	Gustafson	Munger	Rivness	Staten
Bergstrom	Hoffman	Murphy	Rodosovich	Sviggum
Brandl	Jacobs	Nelson, D.	Rodriguez, F.	Swanson
Brinkman	Jensen	Nelson, K.	Rose	Tomlinson
Carlson, L.	Kahn	Neuenschwander	St. Onge	Tunheim
Clark, J.	Kelly	Norton	Sarna	Vanasek
Clark, K.	Knuth	O'Connor	Scheid	Vellenga
Clawson	Kostohryz	Ogren	Schoenfeld	Voss
Cohen	Krueger	Osthoff	Segal	Welle
Coleman	Larsen	Otis	Shea	Wenzel
Eken	Long	Peterson	Sherman	Wynia
Elioff	Mann	Piper	Simoneau	Speaker Sieben

Those who voted in the negative were:

Anderson, R.	Evans	Jennings	Omann	Stadum
Bennett	Findlay	Johnson	Pauly	Thiede
Blatz	Frerichs	Knickerbocker	Piepho	Uphus
Boo	Gutknecht	Kvam	Quist	Valan
Burger	Halberg	Levi	Reif	Valento
Dempsey	Haukoos	Ludeman	Schafer	Waltman
DenOuden	Heinitz	Marsh	Schreiber	Welker
Dimier	Himle	McDonald	Seaberg	Wigley
Erickson	Hokr	Olsen	Shaver	Zaffke

The bill was passed and its title agreed to.

Stadum was excused for the remainder of today's session.

H. F. No. 1427 was reported to the House.

Himle offered an amendment to H. F. No. 1427.

POINT OF ORDER

Sarna raised a point of order pursuant to rule 3.9 that the amendment was not in order. The Speaker Pro tem Wynia ruled the point of order well taken and the amendment out of order.

Himle appealed the decision of the Chair.

A roll call was requested and properly seconded.

CALL OF THE HOUSE

On the motion of Long and on the demand of 10 members, a call of the House was ordered. The following members answered to their names:

Anderson, B.	Frerichs	Long	Peterson	Solberg
Anderson, G.	Graba	Ludeman	Piepho	Sparby
Anderson, R.	Greenfield	Mann	Piper	Staten
Beard	Gruenes	McDonald	Price	Sviggum
Begich	Gustafson	McEachern	Quist	Swanson
Bergstrom	Halberg	McKasy	Reif	Thiede
Bishop	Haukoos	Metzen	Riveness	Tunheim
Blatz	Heap	Minne	Rodosovich	Uphus
Brandl	Heinitz	Munger	Rodriguez, C.	Valan
Brinkman	Himle	Murphy	Rodriguez, F.	Valento
Clark, J.	Hoffman	Nelson, D.	St. Onge	Vanasek
Clark, K.	Hokr	Nelson, K.	Sarna	Vellenga
Coleman	Jacobs	Neuenschwander	Schafer	Waltman
DenOuden	Jennings	Norton	Scheid	Welker
Dimler	Jensen	O'Connor	Schoenfeld	Welle
Elioff	Johnson	Ogren	Schreiber	Wigley
Ellingson	Kahn	Olsen	Segal	Wynia
Erickson	Knickerbocker	Omann	Shaver	Speaker Sieben
Evans	Kostohryz	Ommen	Shea	
Findlay	Krueger	Osthoff	Sherman	
Fjoslien	Kvam	Otis	Simoneau	
Forsythe	Levi	Pauly	Skoglund	

Vanasek moved that further proceedings of the roll call be dispensed with and that the Sergeant at Arms be instructed to bring in the absentees. The motion prevailed and it was so ordered.

The vote was taken on the question "Shall the decision of Speaker Pro tem Wynia stand as the judgment of the House?" and the roll was called.

Vanasek moved that those not voting be excused from voting. The motion prevailed.

There were 76 yeas and 51 nays as follows:

Those who voted in the affirmative were:

Anderson, B.	Elioff	McEachern	Quinn	Staten
Anderson, G.	Ellingson	Metzen	Rice	Swanson
Anderson, R.	Graba	Minne	Riveness	Tomlinson
Battaglia	Greenfield	Munger	Rodosovich	Tunheim
Beard	Gustafson	Murphy	Rodriguez, C.	Vanasek
Begich	Hoffman	Nelson, D.	Rodriguez, F.	Vellenga
Bergstrom	Jacobs	Nelson, K.	St. Onge	Voss
Brandl	Jensen	Neuenschwander	Sarna	Welch
Brinkman	Kalis	Norton	Scheid	Welle
Carlson, L.	Kelly	O'Connor	Schoenfeld	Wenzel
Clark, J.	Knuth	Ogren	Segal	Wynia
Clark, K.	Kostohryz	Osthoff	Shea	Speaker Sieben
Clawson	Krueger	Otis	Simoneau	
Cohen	Larsen	Peterson	Skoglund	
Coleman	Long	Piper	Solberg	
Eken	Mann	Price	Sparby	

Those who voted in the negative were:

Bennett	Forsythe	Knickerbocker	Piepho	Uphus
Bishop	Frerichs	Kvam	Quist	Valan
Blatz	Gruenes	Levi	Redalen	Valento
Boo	Gutknecht	Ludeman	Reif	Waltman
Burger	Halberg	Marsh	Rose	Welker
Dempsey	Haukoos	McDonald	Schafer	Wigley
DenOuden	Heinitz	McKasy	Schreiber	Zaffke
Dimler	Himle	Olsen	Shaver	
Erickson	Hokr	Omann	Sherman	
Findlay	Jennings	Onnen	Sviggum	
Fjoslien	Johnson	Pauly	Thiede	

So it was the judgment of the House that the decision of Speaker Pro tem Wynia should stand.

H. F. No. 1427, A bill for an act relating to retirement; altering the investment authority for police and firefighter's relief associations; making various changes in the benefits for various retirement funds and plans; making conforming changes in benefit calculations; amending Minnesota Statutes 1982, sections 3.082; 69.775; 352.113, subdivision 3; 352.95, subdivision 1a; 353.34, by adding a subdivision; 354.62, subdivision 2; 422A.18, subdivision 3; 424.24, subdivision 2; and 490.129; Minnesota Statutes 1983 Supplement, sections 69.77, subdivision 2; 352.113, subdivision 2; 352.115, subdivision 8; and 356.61; Laws 1947, chapter 43, section 23, as amended; Laws 1963, chapter 643, section 20; Laws 1973, chapters 359, section 5, subdivision 2; and 432, section 4; Laws 1977, chapter 275, section 1; and Laws 1981, chapter 68, section 43; proposing new law coded in Minnesota Statutes, chapter 423A; repealing Laws 1971, chapter 184; Laws 1973, chapter 283; Laws 1978, chapter 617; Laws 1981, chapter 224, sections 255 and 256; Laws 1982, chapter 578, article II, section 1, subdivision 7, and section 3.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 129 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Anderson, B.	Evans	Krueger	Pauly	Simoneau
Anderson, G.	Findlay	Kvam	Peterson	Skoglund
Anderson, R.	Fjoslien	Larsen	Piepho	Solberg
Battaglia	Forsythe	Levi	Piper	Sparby
Beard	Frerichs	Long	Price	Staten
Begich	Graba	Ludeman	Quinn	Sviggum
Bennett	Greenfield	Mann	Quist	Swanson
Bergstrom	Gruenes	Marsh	Redalen	Thiede
Bishop	Gustafson	McDonald	Reif	Tomlinson
Blatz	Cutknecht	McEachern	Rice	Tunheim
Brandl	Halberg	McKasy	Riveness	Uphus
Brinkman	Haukoos	Metzen	Rodosovich	Valan
Burger	Heap	Minne	Rodriguez, C.	Valento
Carlson, L.	Heinitz	Munger	Rodriguez, F.	Vanasek
Clark, J.	Himle	Murphy	Rose	Vellenga
Clark, K.	Hoffman	Nelson, D.	St. Onge	Voss
Clawson	Hokr	Nelson, K.	Sarna	Waltman
Cohen	Jacobs	Neuenschwander	Schafer	Welch
Coleman	Jennings	Norton	Scheid	Welker
Dempsey	Jensen	O'Connor	Schoenfeld	Welle
DenOuden	Johnson	Ogren	Schreiber	Wenzel
Dimler	Kalis	Olsen	Seaberg	Wigley
Eken	Kelly	Omann	Segal	Wynia
Elioff	Knickerbocker	Onnen	Shaver	Zaffke
Ellingson	Knuth	Osthoff	Shea	Speaker Sieben
Erickson	Kostohryz	Otis	Sherman	

The bill was passed and its title agreed to.

CALL OF THE HOUSE LIFTED

Jennings moved that the call of the House be dispensed with. The motion prevailed and it was so ordered.

The Speaker resumed the Chair.

H. F. No. 1711. A bill for an act relating to state lands; transferring to Renville county the picnic grounds area of Birch Coulee battlefield state historic site; appropriating money; amending Minnesota Statutes 1982, section 138.025, subdivision 11.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 113 yeas and 8 nays as follows:

Those who voted in the affirmative were:

Anderson, B.	Begich	Boo	Clark, K.	Dempsey
Anderson, G.	Bennett	Brandl	Clawson	DenOuden
Anderson, R.	Bishop	Burger	Cohen	Dimler
Beard	Blatz	Carlson, L.	Coleman	Eken

Elioff	Jacobs	Nelson, D.	Riveness	Swanson
Ellingson	Jennings	Nelson, K.	Rodosovich	Thiede
Erickson	Johnson	Neuenschwander	Rodriguez, F.	Tomlinson
Evans	Kelly	Norton	Rose	Tunheim
Findlay	Knickerbocker	Olsen	St. Onge	Uphus
Fjoslien	Kostohryz	Omann	Schafer	Valan
Forsythe	Krueger	Onnen	Schoenfeld	Valento
Frerichs	Kvam	Osthoff	Schreiber	Vanasek
Graba	Larsen	Otis	Seaberg	Voss
Greenfield	Levi	Pauly	Segal	Waltman
Gruenes	Long	Peterson	Shaver	Welch
Gustafson	Ludeman	Piepho	Shea	Welker
Gutknecht	Mann	Piper	Sherman	Wenzel
Halberg	Marsh	Price	Simoneau	Wigley
Haukoos	McDonald	Quinn	Skoglund	Wynia
Heap	Metzen	Quist	Solberg	Zaffke
Heinitz	Minne	Redalen	Sparby	Speaker Sieben
Himle	Munger	Reif	Staten	
Hokr	Murphy	Rice	Sviggum	

Those who voted in the negative were:

Brinkman	Hoffman	Knuth	Ogren	Welle
Clark, J.	Jensen	O'Connor		

The bill was passed and its title agreed to.

Segal was excused for the remainder of today's session.

H. F. No. 1842, A bill for an act relating to economic development; creating the Minnesota Manufacturing Growth Council; appropriating money; proposing new law coded in Minnesota Statutes, chapter 116J.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 74 yeas and 50 nays as follows:

Those who voted in the affirmative were:

Anderson, B.	Eken	Larsen	Otis	Skoglund
Anderson, G.	Elioff	Long	Peterson	Solberg
Anderson, R.	Ellingson	Mann	Piper	Sparby
Battaglia	Graba	McEachern	Price	Staten
Beard	Greenfield	Metzen	Quinn	Swanson
Begich	Gustafson	Minne	Rice	Tomlinson
Bergstrom	Hoffman	Munger	Riveness	Tunheim
Brandl	Jacobs	Murphy	Rodosovich	Vanasek
Brinkman	Jensen	Nelson, D.	Rodriguez, F.	Vellenga
Carlson, L.	Kahn	Nelson, K.	St. Onge	Voss
Clark, J.	Kalis	Neuenschwander	Sarna	Welch
Clark, K.	Kelly	Norton	Scheid	Welle
Clawson	Knuth	O'Connor	Schoenfeld	Wynia
Cohen	Kostohryz	Ogren	Shea	Speaker Sieben
Coleman	Krueger	Osthoff	Simoneau	

Those who voted in the negative were:

Bennett	Fjoslien	Hokr	Onnen	Sherman
Bishop	Forsythe	Jennings	Pauly	Sviggum
Blatz	Frerichs	Johnson	Piepho	Thiede
Boo	Gruenes	Knickerbocker	Quist	Uphus
Burger	Gutknecht	Kvam	Redalen	Valento
Dempsey	Halberg	Levi	Rose	Waltman
DenOuden	Haukoos	Ludeman	Schafer	Welker
Erickson	Heap	McDonald	Schreiber	Wenzel
Evans	Heinitz	Olsen	Seaberg	Wigley
Findlay	Himle	Omann	Shaver	Zeffke

The bill was passed and its title agreed to.

H. F. No. 1577 was reported to the House.

EXCUSED FROM VOTING

Pursuant to rule 2.5, Knuth requested that he be excused from voting on H. F. No. 1577 and all amendments offered to H. F. No. 1577. The request was granted.

Voss moved to amend H. F. No. 1577, the second engrossment, as follows:

Page 11, line 2, after "*waste*" delete ","

Page 11, delete line 3

Page 11, line 4, delete "*disposal of hazardous waste*"

Page 13, line 1, after "*services*" delete the balance of the line

Page 13, line 2, delete "*processing and disposal of hazardous waste,*"

A roll call was requested and properly seconded.

The question was taken on the amendment and the roll was called. There were 70 yeas and 40 nays as follows:

Those who voted in the affirmative were:

Anderson, B.	Burger	Forsythe	Johnson	Marsh
Anderson, G.	Clawson	Frerichs	Kalis	McDonald
Battaglia	Coleman	Graba	Knickerbocker	McEachern
Begich	Dempsey	Gutknecht	Kostohryz	McKasy
Bennett	DenOuden	Heap	Krueger	Munger
Bergstrom	Dimler	Heinitz	Kvam	O'Connor
Bishop	Erickson	Hokr	Larsen	Ogren
Blatz	Findlay	Jacobs	Ludeman	Olsen
Brinkman	Fjoslien	Jensen	Mann	Omann

Peterson	Rose	Schreiber	Solberg	Voss
Quist	St. Onge	Seaberg	Sviggum	Waltman
Redalen	Sarna	Shaver	Uphus	Welker
Rice	Schafer	Shea	Valento	Wenzel
Rodosovich	Schoenfeld	Sherman	Vanasek	Zaffke

Those who voted in the negative were:

Anderson, R.	Elioff	Kelly	Onnen	Sparby
Beard	Ellingson	Levi	Otis	Swanson
Boo	Evans	Long	Piper	Tunheim
Brandl	Greenfield	Metzen	Riveness	Vellenga
Carlson, L.	Gruenes	Murphy	Rodriguez, F.	Welle
Clark, J.	Gustafson	Nelson, D.	Scheid	Wigley
Clark, K.	Hoffman	Nelson, K.	Simoneau	Wynia
Cohen	Kahn	Norton	Skoglund	Speaker Sieben

The motion prevailed and the amendment was adopted.

The Speaker called Wynia to the Chair.

Voss moved to amend H. F. No. 1577, the second engrossment, as amended, as follows:

Page 11, after line 21, insert "*governmental units or*"

Page 12, line 20, delete "\$50,000" and insert "\$200,000"

Page 12, line 27, after "*generators*" insert "*or a governmental unit*"

A roll call was requested and properly seconded.

CALL OF THE HOUSE

On the motion of Long and on the demand of 10 members, a call of the House was ordered. The following members answered to their names:

Anderson, B.	Dempsey	Haukoos	Krueger	Murphy
Anderson, G.	DenOuden	Heap	Kvam	Nelson, D.
Anderson, R.	Elioff	Heinitz	Larsen	Nelson, K.
Begich	Ellingson	Himle	Levi	Norton
Bennett	Erickson	Hoffman	Long	O'Connor
Bergstrom	Evans	Hokr	Ludeman	Ogren
Blatz	Findlay	Jacobs	Mann	Olsen
Boo	Fjoslien	Jennings	Marsh	Omamn
Brandl	Forsythe	Jensen	McDonald	Onnen
Brinkman	Frerichs	Johnson	McEachern	Otis
Burger	Graba	Kahn	McKasy	Pauly
Clark, K.	Gruenes	Kalis	Metzen	Peterson
Cohen	Gutknecht	Knickerbocker	Minne	Piepho
Coleman	Halberg	Kostohryz	Munger	Piper

Price	St. Onge	Shea	Thiede	Welker
Quinn	Sarna	Sherman	Tunheim	Welle
Quist	Schafer	Simoneau	Uphus	Wenzel
Redalen	Scheid	Skoglund	Valento	Wigley
Reif	Schoenfeld	Sparby	Vanasek	Wynia
Rodosovich	Schreiber	Staten	Voss	Zaffke
Rodriguez, F.	Seaberg	Sviggum	Waltman	Speaker Sieben
Rose	Shaver	Swanson	Weich	

Vanasek moved that further proceedings of the roll call be dispensed with and that the Sergeant at Arms be instructed to bring in the absentees. The motion prevailed and it was so ordered.

The question recurred on the Voss amendment and the roll was called.

Vanasek moved that those not voting be excused from voting. The motion prevailed.

There were 30 yeas and 83 nays as follows:

Those who voted in the affirmative were:

Anderson, B.	Fjoslien	Jensen	Ogren	Schoenfeld
Anderson, G.	Graba	Krueger	Peterson	Shea
Anderson, R.	Heap	Mann	Price	Uphus
Bergstrom	Heinitz	McEachern	Quinn	Vanasek
Bishop	Hoffman	Munger	Rodosovich	Voss
Brinkman	Hokt	Murphy	Sarna	Wenzel

Those who voted in the negative were:

Beard	Ellingson	Knickerbocker	Osthoff	Staten
Begich	Erickson	Kostohryz	Otis	Sviggum
Bennett	Evans	Kvam	Piepho	Swanson
Blatz	Findlay	Larsen	Quist	Thiede
Boo	Forsythe	Levi	Redalen	Tunheim
Brandl	Freichs	Long	Reif	Valan
Burger	Greenfield	Ludeman	Rodriguez, F.	Valento
Carlson, L.	Gruenes	Marsh	Rose	Vellenga
Clark, J.	Gutknecht	McDonald	Schafer	Waltman
Clark, K.	Halberg	McKasy	Scheid	Welker
Clawson	Haukoos	Metzen	Schreiber	Welle
Cohen	Himle	Minne	Seaberg	Wigley
Coleman	Jacobs	Nelson, D.	Shaver	Wynia
Dempsey	Jennings	Nelson, K.	Sherman	Zaffke
DenOuden	Johnson	O'Connor	Simoneau	Speaker Sieben
Eken	Kahn	Olsen	Skoglund	
Elioff	Kelly	Onnen	Sparby	

The motion did not prevail and the amendment was not adopted.

Voss moved to amend H. F. No. 1577, the second engrossment, as amended, as follows:

Page 17, after line 8, insert a new section to read as follows:

"Sec. 15. [115A.17] [HAZARDOUS WASTE, FACILITY DEVELOPMENT.]

Notwithstanding any other law to the contrary on the effective date of this section, the waste management board shall suspend all activity under sections 115A.18 to 115A.30 relating to the selection and evaluation of locations for hazardous waste disposal until the report on the status of processing facilities required in this section has been presented to the legislature and the legislature has acted affirmatively to reinstate the disposal evaluation and siting process. After June 1, 1985 and before December 1, 1985 the waste management board shall prepare a status report on hazardous waste processing facilities indicating the amount and type of hazardous waste treatment residual and untreated material that is expected to require disposal."

Renumber the remaining sections

Correct internal references

Amend the title accordingly

A roll call was requested and properly seconded.

Cohen was excused for the remainder of today's session.

The question was taken on the amendment and the roll was called.

Vanasek moved that those not voting be excused from voting. The motion prevailed.

There were 77 yeas and 37 nays as follows:

Those who voted in the affirmative were:

Anderson, G.	Fjoslien	Krueger	Peterson	Thiede
Battaglia	Forsythe	Kvam	Piepho	Tunheim
Begich	Frerichs	Larsen	Price	Uphus
Bennett	Gutknecht	Ludeman	Quinn	Valan
Bishop	Halberg	Mann	Quist	Valento
Blatz	Hankoos	McDonald	Redalen	Vanasek
Brinkman	Heap	McEachern	Reif	Voss
Clawson	Heinitz	McKasy	Riveness	Waltman
Coleman	Himle	Metzen	Rodosovich	Welch
Dempsey	Hokr	Minne	St. Onge	Welker
DenOuden	Jacobs	Norton	Sarna	Wenzel
Dimler	Jennings	O'Connor	Schafer	Wigley
Elioff	Jensen	Ogren	Sherman	Zaffke
Erickson	Johnson	Olsen	Solberg	
Evans	Kalis	Omman	Sparby	
Findlay	Kelly	Onnen	Sviggum	

Those who voted in the negative were:

Anderson, R.	Burger	Ellingson	Hoffman	Levi
Beard	Carlson, L.	Greenfield	Kahn	Long
Brandl	Clark, J.	Gruenes	Kostohryz	Marsh

Murphy	Piper	Scheid	Skoglund	Vellenga
Nelson, D.	Rice	Schreiber	Staten	Welle
Nelson, K.	Rodriguez, C.	Seaberg	Swanson	Wynia
Osthoff	Rodriguez, F.	Simoneau	Tomlinson	Speaker Sieben
Otis	Rose			

The motion prevailed and the amendment was adopted.

Pursuant to rule 1.10, Rice withdrew his request for immediate consideration of H. F. No. 1577, as amended.

CALL OF THE HOUSE LIFTED

Vanasek moved that the call of the House be dispensed with. The motion prevailed and it was so ordered.

Halberg was excused for the remainder of today's session.

The Speaker resumed the Chair.

H. F. No. 1857, A bill for an act relating to veterans; clarifying certain veteran benefit definitions to include veterans who have served in the Grenada campaign or with the peacekeeping forces in the Lebanon campaign; appropriating money; amending Minnesota Statutes 1982, sections 124.565, subdivision 7; 198.01; and 462A.05, subdivision 19.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 121 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Anderson, B.	Eken	Jensen	Murphy	Riveness
Anderson, G.	Elioff	Johnson	Nelson, D.	Rodosovich
Anderson, R.	Ellingson	Kahn	Nelson, K.	Rodriguez, C.
Battaglia	Erickson	Kalis	Neuenschwander	Rodriguez, F.
Beard	Evans	Kelly	Norton	Rose
Begich	Findlay	Knickerbocker	O'Connor	St. Onge
Bennett	Fjoslien	Knuuth	Ogren	Sarna
Bergstrom	Forsythe	Kostohryz	Olsen	Schafer
Bishop	Frerichs	Krueger	Omann	Schoenfeld
Blatz	Graba	Kvam	Onnen	Schreiber
Boo	Greenfield	Larsen	Otis	Seaberg
Brandl	Gruenes	Levi	Pauly	Shaver
Brinkman	Gutknecht	Ludeman	Peterson	Shea
Burger	Haukoos	Mann	Piepho	Sherman
Carlson, L.	Heap	Marsh	Piper	Simoneau
Clark, J.	Heinitz	McDonald	Price	Skoglund
Clawson	Himle	McEachern	Quinn	Solberg
Coleman	Hoffman	McKasy	Quist	Sparby
Dempsey	Hokr	Metzen	Redalen	Staten
DenOuden	Jacobs	Minne	Reif	Sviggum
Dimler	Jennings	Munger	Rice	Swanson

Thiede	Valan	Voss	Welker	Wynia
Tomlinson	Valento	Waltman	Wenzel	Zaffke
Tunheim	Vanasek	Weich	Wigley	Speaker Sieben
Uphus				

The bill was passed and its title agreed to.

H. F. No. 1524, A bill for an act relating to claims against the state; providing for claims arising out of the injury or death of an inmate conditionally released or a person performing work pursuant to a court order; amending Minnesota Statutes 1982, section 3.739, subdivisions 1, 2, and by adding a subdivision.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 118 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Anderson, B.	Findlay	Kvam	Piepho	Solberg
Anderson, G.	Fjoslien	Larsen	Piper	Sparby
Battaglia	Forsythe	Levi	Price	Staten
Beard	Frerichs	Long	Quinn	Sviggum
Begich	Graba	Ludeman	Quist	Swanson
Bennett	Greenfield	Mann	Redalen	Thiede
Bergstrom	Gruenes	Marsh	Reif	Tomlinson
Bishop	Gutknecht	McEachern	Rice	Tunheim
Blatz	Heap	McKasy	Riveness	Uphus
Boo	Heinitz	Metzen	Rodosovich	Valan
Brandl	Himle	Minne	Rodriguez, C.	Valento
Brinkman	Hoffman	Munger	Rodriguez, F.	Vanasek
Burger	Hokr	Murphy	Rose	Voss
Carlson, L.	Jacobs	Nelson, D.	St. Onge	Waltman
Clark, J.	Jennings	Nelson, K.	Sarna	Weich
Clawson	Jensen	Neuenschwander	Schafer	Welker
Coleman	Johnson	Ogren	Schoenfeld	Welle
Dempsey	Kahn	Olsen	Schreiber	Wenzel
DenOuden	Kalis	Omann	Seaberg	Wigley
Eken	Kelly	Onnen	Shaver	Wynia
Elioff	Knickerbocker	Osthoff	Shea	Zaffke
Ellingson	Knuth	Otis	Sherman	Speaker Sieben
Erickson	Kostohryz	Pauly	Simoneau	
Evans	Krueger	Peterson	Skoglund	

The bill was passed and its title agreed to.

S. F. No. 1760, A bill for an act relating to governmental operations; requesting the regents of the University of Minnesota to conduct a job evaluation study and report to the legislature.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 123 yeas and 1 nay as follows:

Those who voted in the affirmative were:

Anderson, B.	Fjoslien	Larsen	Piepho	Solberg
Anderson, G.	Forsythe	Levi	Piper	Sparby
Anderson, R.	Frerichs	Long	Price	Staten
Battaglia	Graba	Mann	Quinn	Sviggum
Beard	Greenfield	Marsh	Quist	Swanson
Begich	Gruenes	McDonald	Redalen	Thiede
Bennett	Gutknecht	McEachern	Reif	Tomlinson
Bergstrom	Haukoos	McKasy	Rice	Tunheim
Bishop	Heap	Metzen	Riveness	Uphus
Blatz	Heinitz	Minne	Rodosovich	Valan
Boo	Himle	Mungér	Rodriguez, C.	Valento
Brandl	Hoffman	Murphy	Rodriguez, F.	Vanasek
Brinkman	Hokr	Nelson, D.	Rose	Vellenga
Burger	Jacobs	Nelson, K.	St. Onge	Voss
Carlson, L.	Jennings	Neuenschwander	Sarna	Waltman
Clark, J.	Jensen	Norton	Schafer	Welch
Clawson	Johnson	O'Connor	Scheid	Welker
Coleman	Kahn	Ogren	Schoenfeld	Welle
Dempsey	Kalis	Olsen	Schreiber	Wenzel
Eken	Kelly	Omann	Seaberg	Wigley
Elioff	Knickerbocker	Onnen	Shaver	Wynia
Ellingson	Knuth	Osthoff	Shea	Zaffke
Erickson	Kostohryz	Otis	Sherman	Speaker Sieben
Evans	Krueger	Pauly	Simoneau	
Findlay	Kvam	Peterson	Skoglund	

Those who voted in the negative were:

Ludeman

The bill was passed and its title agreed to.

H. F. No. 688 was reported to the House.

Minne moved to amend H. F. No. 688, the second engrossment, as follows:

Page 1, line 18, delete "12" and insert "14"

Page 3, after line 32, insert:

"Sec. 5. Minnesota Statutes 1982, section 161.242, subdivision 3, is amended to read:

Subd. 3. [UNAUTHORIZED JUNK YARDS PROHIBITED.] ((1) NO) (a) A junk yard may *not* exist or be operated outside a zoned or unzoned industrial area, including those located on public lands (AND RESERVATIONS OF THE UNITED STATES), unless it (BE) is screened (SO AS) to effectively conceal it from the view of motorists using the highway. The screening required by this section may be effected by trees, shrubs, or foliage, natural objects, fences or other appropriate means as determined by standards established by the

commissioner. Plantings (WHICH) that will eventually achieve effective screening shall be acceptable. Plantings shall be used in connection with any fence or other non-natural screening device.

(2) ANY SUCH (b) A portion of a junk yard (OR PORTION THEREOF WHICH) that cannot be effectively (BE) screened (SHALL) must be removed or relocated (PURSUANT TO) under the provisions of this section (ON OR BEFORE JULY 1, 1979). (ANY SUCH) A junk yard lawfully existing (ON) along a highway (WHICH) that is made a part of the trunk highway system after January 1, 1975, and becomes nonconforming thereby shall be effectively screened or removed or relocated within four years (THEREAFTER). Any junk yard (WHICH) that comes into existence after July 1, 1971 (WHICH) that does not conform to this section, or (WHICH) that becomes nonconforming after July 1, 1971, or (WHICH) that becomes nonconforming after action by the commissioner pursuant to this section, is hereby declared to be a public nuisance and illegal, and the commissioner may enter upon the land where the junk yard is located and may screen the same, or may relocate or dispose of the junk yard after 90 days notice to the owner or dealer thereof, if known, or to the owner of the land. In this event, no compensation shall be paid to the owner or dealer or owner of the land, and the commissioner may (COLLECT) recover the cost of screening, removal, relocation or disposal from the owner or dealer, if known, or from the owner of the land upon which the junk yard is located. Any costs recovered by the commissioner shall be deposited in the general fund and credited to the salvage yard account.

((3)) (c) None of the articles commonly found in junk yards shall be allowed to remain on the grounds for more than 24 hours unless within the buildings or the properly screened area as provided herein, nor shall any junk in any junk yard be allowed to extend above existing or planned screening so as to be visible from the highway.

Sec. 6. Minnesota Statutes 1982, section 161.242, subdivision 4, is amended to read:

Subd. 4. [AUTHORITY; ENFORCEMENT.] The commissioner shall screen junk yards when required by this section at locations on the right-of-way of the highway or on lands within 1,000 feet of the right-of-way and shall pay for the costs thereof. If screening is not feasible because of economic or topographic reasons, the commissioner shall secure the removal, relocation or disposal of such junk yard by sale, agreement, or other means, and pay for the costs thereof. Notwithstanding the other provisions of this section, if a junk yard exists within one-half mile of the right-of-way of any trunk highway and is visible from the highway, the commissioner may acquire easements for screening purposes up to one-half mile from the edge of the right-of-way of the highway. The commissioner shall acquire

such rights and interest in property, personal or real, necessary to carry out the purposes of this section by purchase, gift, or eminent domain proceedings and shall pay just compensation therefor. (THE COMMISSIONER SHALL NOT EXPEND ANY MONEY TO ACQUIRE RIGHTS OR INTERESTS IN JUNK YARDS UNDER THIS SECTION, EXCEPT THOSE FOR WHICH ACQUISITION PROCEEDINGS WERE BEGUN BEFORE JUNE 8, 1979 OR FOR WHICH FEDERAL MONEY HAS BEEN APPROPRIATED BY CONGRESS FOR JUNK YARDS DESCRIBED IN TITLE 23, UNITED STATES CODE, SECTION 136(J) AND THE FEDERAL SHARE HAS BEEN MADE AVAILABLE TO THE COMMISSIONER. ALL COSTS DESCRIBED HEREIN SHALL BE NECESSARY FOR A HIGHWAY PURPOSE.)"

Page 4, line 20, after the period insert "\$1 of each \$4 fee collected shall be credited to the salvage yard account."

Page 4, line 21, delete "general fund" and insert "salvage yard account"

Page 7, line 1, delete "10" and insert "12"

Page 7, line 6, delete "11" and insert "13"

Page 7, line 11, delete "11" and insert "13"

Page 7, line 19, delete "7, 8, and" and after "9" insert ", 10, and 11"

Page 7, line 25, delete "5" and insert "7"

Renumber the sections

Amend the title as follows:

Page 1, line 7, after the semicolon insert "imposing a fee on the transfer of motor vehicles; dedicating certain of the proceeds for certain purposes;"

Page 1, line 10, before "and" insert "161.242, subdivisions 3 and 4;"

The motion prevailed and the amendment was adopted.

Fjoslien and Voss moved to amend H. F. No. 688, the second engrossment, as amended, as follows:

Page 2, line 33, delete "or"

Page 2, line 35, before the period insert: "; or (6) a resource recovery facility, as defined in section 115A.03, that burns tires in compliance with air quality standards of the agency"

The motion prevailed and the amendment was adopted.

Osthoff moved to amend H. F. No. 688, the second engrossment, as amended, as follows:

Page 4, delete line 7

Renumber the clauses

A roll call was requested and properly seconded.

The question was taken on the amendment and the roll was called. There were 15 yeas and 88 nays as follows:

Those who voted in the affirmative were:

Anderson, G.	Dimler	Kalis	Onnen	Schreiber
Boo	Himle	Kostohryz	Osthoff	Thiede
DenOuden	Hokr	McEachern	Piepho	Uphus

Those who voted in the negative were:

Anderson, B.	Erickson	Mann	Piper	Sviggum
Battaglia	Evans	Marsh	Price	Swanson
Beard	Findlay	McDonald	Quinn	Tomlinson
Begich	Fjoslien	McKasy	Quist	Tunheim
Bennett	Forsythe	Metzen	Rice	Valan
Bishop	Graba	Minne	Riveness	Valento
Brandl	Greenfield	Munger	Rodosovich	Vanasek
Brinkman	Gruenes	Murphy	Rodriguez, C.	Voss
Burger	Gutknecht	Nelson, D.	Rodriguez, F.	Waltman
Carlson, D.	Heinitz	Neuenschwander	St. Onge	Welch
Carlson, L.	Hoffman	Norton	Schoenfeld	Welle
Clark, J.	Jacobs	O'Connor	Seaberg	Wenzel
Clark, K.	Johnson	Ogren	Shaver	Wigley
Coleman	Kelly	Olsen	Sherman	Wynia
Dempsey	Knuth	Omann	Simoneau	Zaffke
Eken	Krueger	Otis	Skoglund	Speaker Sieben
Elioff	Larsen	Pauly	Solberg	
Ellingson	Ludeman	Peterson	Sparby	

The motion did not prevail and the amendment was not adopted.

H. F. No. 688, A bill for an act relating to natural resources; requiring tire collectors and tire processors to obtain a permit; declaring tire dumps a nuisance and providing for abatement; prohibiting land disposal of waste tires; requiring counties to include waste tire collection and processing in their plans; imposing a fee on the transfer of motor vehicles; dedicating certain of the proceeds for certain purposes; authorizing certain studies; appropriating money; amending Minnesota Statutes

1982, sections 116J.88, by adding a subdivision; 116J.90, by adding a subdivision; 161.242, subdivisions 3 and 4; and Minnesota Statutes 1983 Supplement, section 116J.91, subdivision 4; proposing new law coded in Minnesota Statutes, chapters 115A and 161.

The bill was read for the third time, as amended, and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 68 yeas and 57 nays as follows:

Those who voted in the affirmative were:

Battaglia	Elioff	Larsen	Pauly	Skoglund
Beard	Ellingson	Long	Peterson	Solberg
Begich	Forsythe	Marsh	Piper	Sparby
Bergstrom	Greenfield	McKasy	Price	Staten
Bishop	Gruenes	Metzen	Quinn	Swanson
Boo	Gutknecht	Minne	Reif	Tomlinson
Brandl	Himle	Munger	Rice	Tunheim
Brinkman	Hoffman	Murphy	Riveness	Vellenga
Burger	Jacobs	Nelson, D.	Rodriguez, F.	Voss
Carlson, L.	Kahn	Nelson, K.	Rose	Welle
Clark, J.	Kelly	Neuenschwander	Scheid	Wynia
Clark, K.	Knickerbocker	Norton	Schreiber	Speaker Sieben
Coleman	Knuth	Ogren	Shaver	
Eken	Kostohryz	Otis	Simoneau	

Those who voted in the negative were:

Anderson, B.	Fjoslien	Kvam	Quist	Uphus
Anderson, C.	Frerichs	Levi	Redalen	Valan
Anderson, R.	Graba	Ludeman	Rodosovich	Valento
Bennett	Haukoos	Mann	Rodriguez, C.	Vanasek
Blatz	Heap	McDonald	St. Onge	Waltman
Carlson, D.	Heinitz	McEachern	Sarna	Welker
Dempsey	Hokr	O'Connor	Schafer	Wenzel
DenOuden	Jennings	Olsen	Schoenfeld	Wigley
Dimler	Jensen	Omann	Seaberg	Zaffke
Erickson	Johnson	Onnen	Sherman	
Evans	Kalis	Osthoff	Sviggum	
Findlay	Krueger	Piepho	Thiede	

The bill was passed, as amended, and its title agreed to.

Kahn was excused for the remainder of today's session.

H. F. No. 2051, A bill for an act relating to agriculture; authorizing the energy and economic development authority to purchase, make, or participate in farm loans and to issue bonds or notes for this purpose; amending Minnesota Statutes 1982, sections 116J.88, by adding a subdivision; 116J.90, by adding subdivisions; Minnesota Statutes 1983 Supplement, sections 116J.88, subdivisions 7 and 7a; and 116J.90, subdivision 3.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 84 yeas and 34 nays as follows:

Those who voted in the affirmative were:

Anderson, B.	Erickson	Long	Piper	Simoneau
Anderson, G.	Evans	Mann	Price	Solberg
Anderson, R.	Findlay	Marsh	Quinn	Sparby
Battaglia	Fjoslien	McDonald	Redalen	Swanson
Beard	Graba	McEachern	Reif	Tunheim
Begich	Greenfield	McKasy	Rice	Uphus
Bishop	Gruenes	Munger	Riveness	Valan
Brandl	Hoffman	Murphy	Rodosovich	Vanasek
Brinkman	Jacobs	Nelson, D.	Rodriguez, C.	Vellenga
Carlson, L.	Jensen	Neuenschwander	Rodriguez, F.	Voss
Clark, K.	Johnson	Norton	St. Onge	Waltman
Clawson	Kalis	O'Connor	Sarna	Welch
Coleman	Kelly	Ogren	Schoenfeld	Welle
Dempsey	Knuth	Omann	Seaberg	Wenzel
Eken	Kostohryz	Onnen	Shaver	Wynia
Elioff	Krueger	Otis	Shea	Speaker Sieben
Ellingson	Larsen	Peterson	Sherman	

Those who voted in the negative were:

Bennett	Frerichs	Jennings	Pauly	Sviggum
Blatz	Gutknecht	Knickerbocker	Piepho	Thiede
Boo	Haukoos	Kvam	Quist	Valento
Burger	Heap	Levi	Rose	Welker
DenOuden	Heinitz	Ludeman	Schafer	Wigley
Dimler	Himle	Olsen	Schreiber	Zaffke
Forsythe	Hokr	Osthoff	Skoglund	

The bill was passed and its title agreed to.

Beard and Solberg were excused for the remainder of today's session.

SPECIAL ORDERS

Eken moved that the bills on Special Orders for today be continued one day. The motion prevailed.

GENERAL ORDERS

Eken moved that the bills on General Orders for today be continued one day. The motion prevailed.

There being no objection the order of business reverted to Reports of Standing Committees.

REPORTS OF STANDING COMMITTEES

Rice from the Committee on Appropriations to which was referred:

H. F. No. 288, A bill for an act relating to energy; establishing a residential rental property weatherization compliance program; requiring the filing of a certificate of compliance

with minimum energy efficiency standards for renter-occupied residences; providing certain remedies for noncompliance; making other changes; appropriating money; amending Minnesota Statutes 1982, sections 116J.27, subdivision 4, and by adding subdivisions; and 116J.30, by adding a subdivision; Minnesota Statutes 1983 Supplement, sections 116J.27, subdivision 6; and 290A.19; proposing new law coded in Minnesota Statutes, chapter 116J.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1982, section 116J.27, is amended by adding a subdivision to read:

Subd. 3a. [RESIDENTIAL RENTAL PROPERTY WEATHERIZATION COMPLIANCE PROGRAM.] (a) For purposes of this subdivision, "evaluator" means a person certified according to standards prescribed in subdivision 6 or pursuant to section 116J.31, a professional engineer or architect registered pursuant to sections 326.02 to 326.15, or a qualified person approved by the department.

(b) After January 1, 1985, and on or before July 1, 1986, the owner of a renter-occupied residence shall file with the commissioner a certificate of compliance with all applicable energy efficiency standards prescribed by subdivisions 1 and 3. The certificate shall be obtained from an evaluator following an inspection of the residence conducted after August 31, 1984, and recorded on a form provided by the commissioner. After inspection, if the evaluator determines that the energy efficiency standards prescribed by subdivisions 1 and 3 have been met, he or she shall issue and sign a certificate of compliance. The evaluator may charge a reasonable fee for inspecting the residence and issuing the certificate. No evaluator may inspect a residence and issue the certificate required by this subdivision if the evaluator has an ownership interest in the residence or is employed by any person having an ownership interest in the residence. No evaluator may make energy efficiency improvements or profit directly or indirectly from the provision of energy efficiency improvements to a residence that he or she has inspected. The certificate for low-rent housing owned by a public housing authority or a housing and redevelopment authority as defined in section 462.421, subdivision 2, may be issued by an officer or employee of the authority or by an evaluator after completion of an energy audit as required by the United States department of housing and urban development pursuant to Code of Federal Regulations, title 24, sections 965.301 to 965.310, and completion of improvements necessary to bring the building into compliance with the requirements of subdivisions 1 and 3. The energy audit of low-rent housing may be conducted before September 1, 1984, but the certificate for low-rent housing shall indicate com-

pliance with the standards to be in effect as of July 1, 1985. The commissioner shall adopt a form for the certificate. The commissioner shall maintain a file by street address of the certificates filed pursuant to this subdivision. The certificates shall be released to the public according to section 13.03. If a certificate is not on file for a residence, upon request of any person, the commissioner shall provide without charge a written statement that a certificate is not on file as of the date of execution of the statement. The statement is prima facie evidence in a court or administrative action of the facts it contains and of the fact that the residence is not in compliance with the energy efficiency standards prescribed by subdivisions 1 and 3. The commissioner may charge a fee to owners, other than public housing authorities and housing and redevelopment authorities, who file certificates under this subdivision in an amount sufficient to defray the costs of administering the residential rental property weatherization compliance program. The fee receipts shall be deposited in the general fund. The commissioner may review whether a residence continues to meet the energy efficiency standards, and may revoke the certificate if the residence is not in compliance with the standards.

Sec. 2. Minnesota Statutes 1982, section 116J.27, subdivision 4, is amended to read:

Subd. 4. [INSPECTIONS.] The commissioner shall conduct inspections on a random basis for compliance with the provisions of subdivision 3. The commissioner (OF ENERGY, PLANNING AND DEVELOPMENT) may authorize a municipality, with its consent, to conduct the inspections within the municipality's jurisdiction, or to otherwise enforce the provisions of subdivision 3 or 3a. Any municipality which conducts an inspections or other enforcement program (IN CONJUNCTION WITH EXISTING CITY INSPECTION PROGRAMS) shall have authority under all subdivisions of section 116J.30 to enforce the provisions of (SUBDIVISION) subdivisions 3 and 3a; provided that (50) 100 percent of the penalties (TO BE PAID TO THE STATE TREASURY) for violation of (SUBDIVISION) subdivision 3 or 3a shall be paid to the municipality.

Sec. 3. Minnesota Statutes 1982, section 116J.27, is amended by adding a subdivision to read:

Subd. 4a. [ENFORCEMENT AFTER INSPECTION.] If the commissioner determines, after an inspection conducted by or on behalf of the department, that a renter-occupied residence is not in compliance with the standards prescribed pursuant to subdivision 1, the commissioner may issue to the owner of the renter-occupied residence or the owner's agent a determination of noncompliance and may commence a contested case proceeding under sections 14.57 to 14.62. The determination shall (1) specify the reasons for the determination, (2) include a copy of the inspection report, (3) state the actions that must be taken to

bring the residence into compliance with the standards, (4) state that if the residence is not brought into compliance with the standards within 90 days following the date of the determination, a contested case proceeding will be commenced, and (5) specify a fine that will be assessed upon the conclusion of the contested case proceeding in the absence of a showing of good cause in that proceeding. The contested case proceeding hearing shall be held in the county in which the renter-occupied residence is located. Notwithstanding the provisions of sections 14.50 and 14.61, the hearing examiner in the contested case proceeding shall make findings of fact and conclusions of law and issue a decision, and if the hearing examiner decides that the residence is not in compliance with the standards, the hearing examiner shall enter an order directing the owner to take such affirmative action as in the judgment of the hearing examiner will effectuate the purposes of section 116J.27.

Sec. 4. Minnesota Statutes 1982, section 116J.27, is amended by adding a subdivision to read:

Subd. 4b. [ENFORCEMENT FOR FAILURE TO FILE CERTIFICATE.] *If the commissioner determines that the certificate prescribed in subdivision 3a has not been filed for a renter-occupied residence, and if the residence is located in a municipality which has been authorized to conduct an enforcement program pursuant to subdivision 4, the commissioner may notify the municipality that the certificate has not been filed. If the renter-occupied residence is not located in a municipality that has been authorized to conduct an enforcement program, or if a municipality takes no enforcement action within 30 days following the date of notification from the commissioner, the commissioner may issue to the owner of the renter-occupied residence or the owner's agent a determination that the certificate has not been filed and may commence a contested case proceeding under sections 14.57 to 14.62. The determination shall state that if the certificate is not filed within 90 days following the date of the determination, a contested case proceeding may be commenced, and the determination shall specify the fine that will be assessed upon the conclusion of the contested case proceeding in the absence of a showing of good cause in that proceeding. Notwithstanding the provisions of sections 14.50 and 14.61, the hearing examiner in the contested case proceeding shall make findings of fact and conclusions of law and issue a decision, and if the hearing examiner decides that the certificate has not been filed for the residence, the hearing examiner shall enter an order directing the owner to take such affirmative action as in the judgment of the hearing examiner will effectuate the purposes of section 116J.27.*

Sec. 5. Minnesota Statutes 1982, section 116J.27, is amended by adding a subdivision to read:

Subd. 4c. [FINES FOR NONCOMPLIANCE; EXCEPTION.] *If the hearing examiner issues a decision, following a*

contested case proceeding commenced pursuant to subdivision 4a or 4b, that a renter-occupied residence is not in compliance with the standards prescribed pursuant to subdivision 1 or that the certificate prescribed in subdivision 3a has not been filed, and that the owner of the renter-occupied residence has not proven a good cause, as defined by rule or temporary rule adopted by the commissioner, for his failure to comply with the standards prescribed pursuant to subdivision 1 or his failure to file the certificate prescribed in subdivision 3a, the hearing examiner shall assess a fine against the owner in accordance with a schedule of fines adopted by the commissioner by rule or temporary rule. This subdivision shall not apply in the case of low-rent housing owned by a public housing authority or a housing and redevelopment authority as defined in section 462.421, subdivision 2.

Sec. 6. Minnesota Statutes 1983 Supplement, section 116J.27, subdivision 6, is amended to read:

Subd. 6. [BUILDING EVALUATORS.] The commissioner shall certify evaluators in each county of the state who are qualified to determine the compliance of a residence with applicable energy efficiency standards. The commissioner shall, by rule pursuant to chapter 14, adopt standards for the certification and performance of evaluators and set a fee for the certification of evaluators which is sufficient to cover the ongoing costs of the program once it is established. The commissioner shall encourage the certification of existing groups of trained municipal personnel and qualified individuals from community-based organizations and public service organizations. Each certified evaluator shall, on request of the owner, inspect any residence and report the degree to which it complies with applicable energy efficiency standards established pursuant to subdivision 1. The inspections shall be made within 30 days of the request. (EVALUATORS SHALL BE CERTIFIED ONLY IF THEY ALSO MEET ALL REQUIREMENTS FOR CONDUCTING RESIDENTIAL ENERGY AUDITS PURSUANT TO 42 U.S.C. 8211 ET SEQ.) The commissioner shall enter into an agreement with the department of education for the provision of evaluator training through the area vocational technical institutes. The commissioner may contract with the area vocational technical institutes to reduce the training costs to the students. The commissioner may eliminate the examination fee for persons seeking upgraded certificates. The commissioner may also establish requirements for continuing education, periodic recertification, and revocation of certification for evaluators.

Sec. 7. Minnesota Statutes 1982, section 116J.30, is amended by adding a subdivision to read:

Subd. 4. For purposes of sections 504.18 and 566.18 to 566.33, the weatherstripping, caulking, storm window, and storm door energy efficiency standards for renter-occupied residences pre-

scribed by section 116J.27, subdivisions 1 and 3, are health and safety standards, and the penalties and remedies provided in this section are in addition to and do not limit remedies otherwise available to tenants of renter-occupied residences.

Sec. 8. Minnesota Statutes 1983 Supplement, section 290A.19, is amended to read:

290A.19 [OWNER OR MANAGING AGENT TO FURNISH RENT CERTIFICATE; PENALTY.]

(a) The owner or managing agent of any property for which rent is paid for occupancy as a homestead shall furnish a certificate of rent constituting property tax to each person who is a renter on December 31, in the form prescribed by the commissioner. If the renter moves prior to December 31, the owner or managing agent shall at his option either provide the certificate to the renter at the time he moves, or mail the certificate to the forwarding address if an address has been provided by the renter. The certificate shall be made available to the renter not later than January 31 of the year following the year in which the rent was paid. Any owner or managing agent who willfully fails to furnish a certificate as provided herein shall be liable to the commissioner for a penalty of \$20 for each act or failure to act. The penalty shall be assessed and collected in the manner provided in chapter 290 for the assessment and collection of income tax.

(b) If the owner or managing agent elects to provide the renter with the certificate at the time he moves, rather than after December 31, the amount of rent constituting property taxes shall be computed as follows:

(i) The net tax shall be reduced by 1/12th for each month remaining in the calendar year.

(ii) In calculating the denominator of the fraction pursuant to section 290A.03, subdivision 11, the gross rent paid through the last month of claimant's occupancy shall be substituted for "the gross rent paid for the calendar year for the property in which the unit is located."

(c) The certificate of rent constituting property taxes shall include the address of the property, including the county, and the property tax parcel identification number and any additional information which the commissioner determines is appropriate.

(d) If the owner or managing agent fails to provide the renter with a certificate of rent constituting property taxes, the commissioner shall allocate the net tax on the building to the unit on a square footage basis or other appropriate basis as the commissioner determines. The renter shall supply the

commissioner with a statement from the county treasurer which gives the amount of property tax on the parcel, the address and property tax parcel identification number of the property, and the number of units in the building.

(e) Effective January 1, 1986, the commissioner shall provide to the commissioner of the department of energy and economic development a copy of all certificates of rent constituting property taxes that have been filed with the department. The copies of the certificates shall be provided by June 1 of each year.

Sec. 9. Minnesota Statutes 1982, section 462A.05, is amended by adding a subdivision to read:

Subd. 24. [RENTAL HOUSING ENERGY EFFICIENCY COMPLIANCE LOANS.] The agency may make or purchase or otherwise participate in the making, and may enter into commitments for the purchase, making, or participating in the making, of loans to owners of rental residential property for the purpose of energy improvements necessary to bring the property into compliance with standards established under section 116J.27, subdivisions 1 and 3. Loans pursuant to this subdivision shall be at such terms and rates of interest and with security for repayment, if any, the agency determines to be reasonably necessary to achieve the highest level of compliance with the energy standards. The loans shall be made without limitations relating to the incomes of the owners or tenants. Loans shall be made only when the agency determines that financing is not otherwise available, in whole or in part, from private lenders upon equivalent terms and conditions.

Sec. 10. Minnesota Statutes 1982, section 462A.21, is amended by adding a subdivision to read:

Subd. 13. The agency may make, purchase, or otherwise participate in loans pursuant to section 1, and may pay the costs and expenses necessary and incidental to the development and operation of the program authorized therein. It may combine loan funds established pursuant to legislative appropriations with loan funds established for the same or similar purposes pursuant to the sale of its notes or bonds in order to reduce the effective interest rate to borrowers.

Sec. 11. [116J.275] [EXCEPTIONS.]

Sections 1 and 3 to 6 do not apply to farm property consisting of five or more acres containing one single family residence, to owner-occupied single family residences, to single family residences which are rented for a period not to exceed four months in any 12-month period, and to condominium units.

Sec. 12. [APPROPRIATION.]

The sum of \$80,000 in fiscal year 1985 is appropriated from the general fund to the commissioner of energy and economic development for the purposes of this act. The complement of the department is increased by two positions.

Sec. 13. [EFFECTIVE DATE.]

Sections 1 to 3, 5, 6, 9, and 10 are effective the day following final enactment. Sections 7, 8, and 12 are effective July 1, 1984. Section 4 is effective January 1, 1986."

Delete the title and insert:

"A bill for an act relating to energy; establishing a residential rental property weatherization compliance program; requiring the filing of a certificate of compliance with minimum energy efficiency standards for renter-occupied residences; providing certain remedies for noncompliance; providing a rental housing energy efficiency loan program; making other changes; appropriating money; amending Minnesota Statutes 1982, sections 116J.27, subdivision 4, and by adding subdivisions; 116J.30, by adding a subdivision; 462A.05, by adding a subdivision; and 462A.21, by adding a subdivision; Minnesota Statutes 1983 Supplement, sections 116J.27, subdivision 6; and 290A.19; proposing new law coded in Minnesota Statutes, chapter 116J."

With the recommendation that when so amended the bill pass.

The report was adopted.

Rice from the Committee on Appropriations to which was referred:

H. F. No. 471, A bill for an act relating to public welfare; establishing an administrative review panel; defining its duties; amending Minnesota Statutes 1983 Supplement, section 257.071, subdivision 2.

Reported the same back with the following amendments:

Page 2, after line 11, insert:

"Sec. 2. [CITIZEN REVIEW BOARD PILOT PROJECT.]

Subdivision 1. [PURPOSE.] The purpose of a citizen review board pilot project is to determine (1) the need for and feasibility of establishing a statewide system of citizen review boards for children placed in substitute care for more than six months;

(2) the optimal methods of achieving statewide compliance with the requirements of Public Law 96-272, Sections 427 and 475; (3) a comparison of the citizen review board concept with local social service agency administrative review panels; (4) whether a citizen review facilitates the timely return of children to their birth parents, placement for adoption, or other permanency plans; and (5) whether the citizen review process provides benefits to children that are comparable to those provided by the juvenile court.

Subd. 2. [PILOT PROJECT; ESTABLISHMENT.] The commissioner of public welfare, hereinafter the commissioner, shall establish a citizen review board pilot project in at least one judicial district to be determined by the commissioner. The citizen review boards shall review one-half of the cases of children in substitute care for more than six months in each project district. The other one-half will be reviewed under existing administrative review procedures.

Subd. 3. [CITIZEN REVIEW BOARD.] There shall be one citizen review board for every 75 children eligible for review by a citizen board in each project area. Each board shall consist of five members who are residents of the judicial district and have shown an interest in the welfare of children. Each board shall, to the extent feasible, represent the various socio-economic, racial, and ethnic groups of the district in which it serves. At least one member shall be a foster parent. No more than one person may be employed by the department of public welfare, by a child welfare agency, or by the juvenile court. Board members shall be appointed by the commissioner in consultation with the administrator of the local social services agency and the presiding judge of the juvenile court. Board members shall be required to attend in-service training sessions sponsored by the commissioner. Board members shall be appointed to serve a term that expires June 30, 1987. Appointments to fill vacancies on the board shall be made in the same manner and subject to the same conditions as the initial appointments to the board. Members shall continue to serve until a successor is appointed. Members of the board shall not receive compensation but shall be reimbursed for expenses.

Subd. 4. [REVIEW.] For purposes of determining what efforts have been made by the supervising agency or child caring institution to carry out the plan for permanent placement of each child subject to review under the project, citizen review boards shall, every six months from the date of the child's initial placement, review the cases of participating children who have resided in public or private foster care for a period of more than six months and who are under the jurisdiction of (1) the commissioner of corrections; (2) the designated social service agency; (3) the commissioner of public welfare pursuant to section 260.242; or (4) a child placing agency, a facility licensed pursuant to sections 245.781 to 245.813, a county home school, or a group foster home licensed under section 241.12. All chil-

dren in care who are subject to citizen board review shall be reviewed within a year and every six months thereafter until the project expires. The review procedure established by this subdivision shall replace administrative reviews required by section 257.071, subdivision 2, for children reviewed under the pilot project.

Subd. 5. [RETURN OF CHILDREN TO PARENTS; ADOPTION.] Citizen review boards shall encourage and facilitate the timely return to their birth parents of foster children reviewed under this program or, where appropriate, shall encourage the appropriate agency to initiate procedures to make the child free for adoption and to exert maximum effort to place the child for adoption.

Subd. 6. [RECOMMENDATIONS TO JUVENILE COURT AND THE LOCAL SOCIAL SERVICES AGENCY.] The citizen review board shall submit to the juvenile court and the local social services agency, within ten days following review of any placement, findings and recommendations regarding the efforts and progress made by the designated local social services agency to carry out the case placement plan established pursuant to section 257.071, together with any other recommendations regarding the child. The findings and recommendations shall include the date of the next review; the signature of all persons attending the review; documentation of the procedural safeguards as required in Public Law 96-272, Section 475; and any comments the birth parents or the child wish to communicate to the agency or the court.

Subd. 7. [UNNECESSARY CHANGES IN PLACEMENT.] Citizen review boards shall promote and encourage the department of public welfare and all agencies involved in placing children in foster care to maximize stability and family continuity for children in foster care by discouraging unnecessary changes in the placement of foster children.

Subd. 8. [APPROPRIATENESS OF PLACEMENT.] Citizen review boards shall review foster care placements and family recruitment policies of agencies involved in placing children for adoption to ensure that the best interests of minority children are met by having due consideration given to their racial and ethnic heritage.

Subd. 9. [INFORMATION ON RIGHTS.] Citizen review boards shall assist the local social services agencies in informing birth parents, foster parents, and other interested parties of their rights and responsibilities with respect to any child in foster care. Birth parents, foster parents, the child, and other interested parties shall be allowed to participate in the review process.

Subd. 10. [DEFICIENCY REPORTS.] Citizen review boards shall report to the department of public welfare, the local social services agency, and other adoptive or foster care agencies deficiencies in the agencies' efforts to secure permanent homes for children whose cases have been reviewed by the board.

Subd. 11. [AGENCY COOPERATION; DATA PRIVACY REQUIREMENTS.] All public and private agencies and institutions that provide or arrange foster care services for children shall cooperate with the citizen review boards by furnishing information required for effective implementation of this section. Information in the possession of a public agency or institution shall be provided pursuant to section 13.05, subdivision 9, and shall retain the same classification in the possession of a citizen review board as it had in the possession of the public agency or institution. Information supplied by a private agency or institution that identifies an individual shall not be disclosed or disseminated by a citizen review board for any purpose except as required to implement this section.

Subd. 12. [LIMITATIONS.] This section shall not be construed to limit or delay actions by agencies or institutions to arrange for adoptions, foster care, termination of parental rights, or other related matters on their own initiative; or to alter or restrict the duties and authority of those agencies and institutions in those matters.

Subd. 13. [REVIEW; REPORT.] The commissioner shall monitor each pilot project. The commissioner, the local social services agency, and the presiding judge of the juvenile court in each project area shall review the quality, efficiency, and effectiveness of the pilot project. The commissioner shall evaluate the projects and report to the legislature by November 15, 1986. The report shall include: (1) a comparison of the citizen review board process and the local social services agency administrative review panels; (2) the cost effectiveness of the citizen review board; (3) the effect upon the numbers of children in substitute care for longer than six months; (4) the number of children served; (5) the extent of compliance with federal requirements; (6) the quality and efficiency of the citizen review board pilot projects; and (7) recommendations regarding establishment of citizen review boards statewide in order to maximize achievement of statewide compliance with requirements of P.L. 96-272, Sections 427 and 475.

Sec. 3. [RULES OF THE DEPARTMENT.]

For purposes of the pilot projects the department of public welfare shall promulgate temporary or permanent rules necessary to implement section 1.

Sec. 4. [APPROPRIATION.]

There is appropriated from the general fund to the department of public welfare for the biennium ending June 30, 1985, the sum of \$50,000 for the purposes of sections 2 and 3 and to facilitate county compliance with applicable requirements of section 2."

Amend the title as follows:

Page 1, line 3, after the second semicolon, insert "establishing a citizen review board pilot project; requiring a report; authorizing promulgation of rules; appropriating money;"

Page 1, line 5, before the period insert "; proposing new law coded in Minnesota Statutes, chapter 260"

With the recommendation that when so amended the bill pass.

The report was adopted.

Jacobs from the Committee on Regulated Industries to which was referred:

H. F. No. 1501, A bill for an act relating to regulated industries; changing conditions that regulate the telecast of games at metropolitan sports facilities; amending Minnesota Statutes 1982, section 473.568, subdivision 1.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1982, section 473.581, subdivision 3, is amended to read:

Subd. 3. [LIMITATIONS.] The principal amount of the bonds issued pursuant to subdivision 1, clause (a), shall not exceed the amounts hereinafter authorized. If the commission's proposal and the construction contracts referred to in clause (g) of this subdivision provide for the construction of a covered multipurpose sports facility, the total cost of constructing the facility under the construction contracts, not including costs paid from funds provided by others, and the principal amount of bonds issued pursuant to subdivision 1, clause (a), shall be limited to \$55,000,000. If the commission's proposal and the construction contracts do not provide for the construction of a cover on a proposed multipurpose sports facility and the commission does not otherwise contract for the construction or acquisition of a cover for the sports facility, the principal amount

shall be limited to \$42,000,000. If the commission's proposal and the construction contracts provide for the construction of a new sports facility for football and soccer and for remodeling the existing metropolitan stadium for baseball, the principal amount shall be limited to \$37,500,000. If the commission's proposal and the construction contracts provide for the reconstruction and remodeling of the existing metropolitan stadium as an uncovered multipurpose sports facility, the principal amount shall be limited to \$25,000,000. The bonds issued pursuant to subdivision 1, clause (a), shall bear an average annual rate of interest, including discount, not in excess of 7-1/2 percent. The proceeds of the bonds issued pursuant to subdivision 1, clause (a), shall be used only for the acquisition and betterment of sports facilities suitable for baseball, football and soccer, with a seating capacity for football and soccer of approximately 65,000 persons. The council shall issue its bonds and construction of sports facilities may commence when the council has made the following determinations:

(a) The commission has executed agreements with major league professional baseball and football organizations to use its sports facilities for all scheduled regular season home games and play-off home games and, in the case of the football organization, for at least one-half of its exhibition games played each season. The agreements shall be for a period of not more than 30 years nor less than the term of the longest term bonds that in the council's judgment it may find it necessary to issue to finance the acquisition and betterment of the commission's sports facilities. The agreements may contain provisions negotiated between the organizations and the commission which provide for termination upon conditions related and limited to the bankruptcy, insolvency, or financial capability of the organization. The agreements shall provide that, in the event of breach of the agreements, the defaulting organization shall pay damages annually to the commission. The annual payment shall be in an amount equal to the annual average of all revenue derived by the commission from attendance at events and activities of the defaulting organization during the years prior to default, provided that the damages shall not exceed in any year an amount sufficient, with other revenues of the commission but excluding proceeds of the taxes under section 473.592, to pay all expenses of operation, maintenance, administration, and debt service for the facilities used by the defaulting organization during the same year. The damages shall be payable during the period from the occurrence of the default to the date on which another major league professional baseball or football organization, replacing the defaulting organization, enters into a use agreement with the commission for not less than the then remaining term of the original agreement. The agreements with the teams shall provide that no closed circuit or pay television broadcasting of events in the sports facility may be allowed without the approval of the commission. The agreements shall include provisions protecting the commission and the council in the event of change in ownership of the professional teams.

(b) The commission has executed agreements with professional baseball and football major leagues which guarantee the continuance of franchises in the metropolitan area for the period of the agreements referred to in clause (a).

(c) The proceeds of bonds provided for in this subdivision will be sufficient, together with other capital funds that may be available to the commission, to construct or remodel and to furnish the sports facilities proposed by the commission, including the appropriate professional fees and charges but excluding, except as otherwise provided in this subdivision, the acquisition, clearance, relocation, and legal costs referred to in clauses (d) and (e).

(d) The commission has acquired, without cost to the commission or the council except as provided in this subdivision, title to all real property including all easements and other appurtenances needed for the construction and operation of any proposed sports facilities or has received a grant of funds or has entered into an agreement or agreements sufficient in the judgment of the council to assure the receipt of funds, at the time and in the amount required, to make any payment upon which the commission's acquisition of title and possession of the real property is conditioned.

(e) The commission has received a grant of funds or entered into an agreement or agreements sufficient in the judgment of the council to assure the receipt of funds, at the time and in the amount required, to pay all costs, except as provided in this subdivision, of clearing the real property needed for the construction and operation of any proposed sports facilities of all buildings, railroad tracks and other structures, including without limitation all relocation costs, all utility relocation costs, and all legal costs.

(f) The commission has executed agreements with appropriate labor organizations and construction contractors which provide that no labor strike or management lockout will halt, delay or impede construction.

(g) The commission has executed agreements which will provide for the construction of its sports facilities for a certified construction price and completion date and which include performance bonds in an amount at least equal to 100 percent of the certified price to cover any costs which may be incurred over and above the certified price, including but not limited to costs incurred by the commission or loss of revenues resulting from incomplete construction on the completion date.

(h) The environmental impact statement for the sports facility or facilities has been accepted by the environmental quality board, and the pollution control agency and any other de-

partment, agency, or unit of government have taken the actions necessary to permit the construction of the sports facility or facilities.

(i) At least 50 percent of the private boxes provided for in the commission's proposal for the sports facility or facilities are sold or leased for at least five years.

(j) The anticipated revenue from the operation of the sports facility or facilities plus any additional available revenue of the commission and the revenue from the taxes under section 473.-592 will be an amount sufficient to pay when due all debt service plus all administration, operating and maintenance expense.

(k) The commission has studied and considered the needs of the University of Minnesota for athletic facilities for a prospective 20 year period.

(l) The municipality where the facility is to be constructed has entered into an agreement as contemplated in section 473.-592.

(m) The commission has entered into an agreement or agreements with a purchaser or purchasers of tickets of admission for a period of not less than 20 years which will assure that (, IF THE PROFESSIONAL FOOTBALL ORGANIZATION CANNOT COMPLY WITH THE PROVISIONS OF SECTION 473.568,) whenever more than 90 and less than 100 percent of the tickets of admission for seats at any professional football game, which were available for purchase by the general public 120 hours or more before the scheduled beginning time of the game either at the sports facility where the game is to be played or at the box office closest to the sports facility, have been purchased 72 hours or more before the beginning time of the game, then all of such tickets which remain unsold will be purchased in sufficient time to permit the telecast to areas within the state which otherwise would not receive the telecast because of the terms of an agreement in which the professional football league has sold or otherwise transferred all or part of the rights of the league's member organizations in the sponsored telecasting of games of the organizations. The party or parties agreeing to the purchase of such unsold tickets shall be obligated for a period of at least 20 years in an amount determined by the council to be sufficient to assure the purchase of all such unsold tickets. (AN AGREEMENT OR AGREEMENTS SATISFYING THE REQUIREMENTS OF THIS CLAUSE SHALL FREE THE PROFESSIONAL FOOTBALL ORGANIZATION FROM THE PROHIBITION OTHERWISE IMPOSED ON IT BY SECTION 473.568.)

(n) The council has entered into an agreement with the brokerage firm or brokerage firms to be used in connection with

the issuance and sale of the bonds guaranteeing that fees and charges payable to the brokerage firm or firms in connection therewith, including any underwriting discounts, shall not exceed fees and charges customarily payable in connection with the issuance and sale of bonds secured by the pledge of the full faith and credit of the municipality in which any new sports facility is to be located.

The validity of any bonds issued under subdivision 1, clause (a), and the obligations of the council and commission related thereto, shall not be conditioned upon or impaired by the council's determinations made pursuant to this subdivision. For purposes of issuing the bonds the determinations made by the council shall be deemed conclusive, and the council shall be and remain obligated for the security and payment of the bonds irrespective of determinations which may be erroneous, inaccurate, or otherwise mistaken.

Sec. 2. [REPEALER.]

Minnesota Statutes 1982, section 473.568, is repealed. This repeal is based solely upon the continued effectiveness of the agreement or agreements entered into by the Metropolitan Sports Facilities Commission and the purchaser or purchasers of tickets of admission as provided for by Laws 1979, chapter 203, section 8. Such agreements shall remain in effect throughout their terms and the commission shall have no authority to terminate or modify such agreements.

Sec. 3. [EFFECTIVE DATE.]

Sections 1 and 2 are effective July 1, 1987."

Amend the title as follows:

Page 1, line 4, after the comma insert "section 473.581, subdivision 3; repealing Minnesota Statutes 1982,"

Page 1, line 5, delete ", subdivision 1"

With the recommendation that when so amended the bill pass.

The report was adopted.

Rice from the Committee on Appropriations to which was referred:

H. F. No. 1667, A bill for an act relating to the operation of the department of economic security; funding sheltered workshop and work activity programs based on evaluated effectiveness; defin-

ing sheltered employee; requiring rulemaking and a report to the legislature; amending Minnesota Statutes 1982, sections 129A.01 and 129A.08.

Reported the same back with the following amendments:

Page 5, after line 19, insert:

"Sec. 4. [APPROPRIATION.]

The sum of \$50,000 is appropriated from the general fund for the biennium ending June 30, 1985, to the commissioner of economic security for the purposes of carrying out the requirements of sections 2 and 3. The evaluations required by section 2, subdivisions 2 and 4, shall be accomplished insofar as possible by contracting with outside consultants."

Amend the title as follows:

Page 1, line 6, after the semicolon insert "appropriating money;"

With the recommendation that when so amended the bill pass.

The report was adopted.

Rice from the Committee on Appropriations to which was referred:

H. F. No. 1708, A bill for an act relating to mental health; authorizing establishment of a demonstration project for treatment of compulsive gamblers; appropriating money; proposing new law coded in Minnesota Statutes, chapter 240.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. [240.35] [STUDY FOR TREATMENT OF COMPULSIVE GAMBLERS.]

Subdivision 1. [AUTHORIZATION.] The commissioner of public welfare is authorized to study the problem of compulsive gamblers in the state of Minnesota. For purposes of this act, a "compulsive gambler" means a person who is chronically and progressively preoccupied with gambling and the urge to gamble, and with gambling behavior that compromises, disrupts, or

damages personal, family, or vocational pursuits. The study shall be presented to the legislature no later than June 30, 1985.

Subd. 2. [STUDY.] The study shall consider, among other things, the following issues:

(1) the nature of compulsive gambling and current practices in diagnosing and treating;

(2) the extent of compulsive gambling in this state and the effect of current and proposed forms of legalized gambling on the incidence of compulsive gambling;

(3) proposals for additional efforts to deal with compulsive gambling by both public and private agencies;

(4) coverage of compulsive gambling under existing health insurance policies and proposals to change that coverage;

(5) recommendations for a coordinated program of public and private action to deal with compulsive gambling by means of both treatment and public information, with recommended funding levels and implementation strategy; and

(6) the estimated annual cost of establishing compulsive gambling treatment programs.

Subd. 3. [TRAINING.] The commissioner is authorized to design and implement programs for the training of counselors and other specialized personnel to deal with the problem of compulsive gambling in the state of Minnesota.

Sec. 2. [APPROPRIATION.]

Subdivision 1. [GENERALLY.] \$50,000 is appropriated from the general fund to the commissioner of public welfare for the purpose of implementing section 1. The sum is available until June 30, 1985.

Subd. 2. [MATCHING FUNDS.] For purposes of implementing section 1, the commissioner of public welfare is authorized to obtain from private or other governmental sources funds at least equal in amount to the sum appropriated by this section."

With the recommendation that when so amended the bill pass.

The report was adopted.

Jacobs from the Committee on Regulated Industries to which was referred:

H. F. No. 1750, A bill for an act relating to alcoholic beverages; allowing licensed premises to remain open after the hour sales of alcoholic beverages must cease; amending Minnesota Statutes 1982, section 340.14, subdivision 5; Minnesota Statutes 1983 Supplement, sections 340.034, subdivision 1; and 340.14, subdivision 1.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1982, section 340.034, is amended by adding a subdivision to read:

Subd. 4. [CLOSING HOURS.] (a) A licensed on-sale premise prohibited by local ordinance from remaining open after 1 a.m. may remain open beyond that hour on any day when sales of nonintoxicating malt liquor are otherwise permitted, provided that a permit is obtained under this subdivision and no nonintoxicating malt liquor is sold after the hour required under subdivision 1.

(b) A municipality may issue a permit to allow an establishment to remain open after hours, as allowed by this subdivision, provided that no permit may be issued to an establishment which has, within the preceding three years, been found to have sold nonintoxicating malt liquor after the hours set forth in subdivision 1. A municipality may revoke a permit issued under this subdivision if nonintoxicating malt liquor is sold after the hours set forth in subdivision 1. The fee for the permit may not exceed \$25 per year.

(c) This subdivision is repealed effective June 30, 1986.

Sec. 2. Minnesota Statutes 1982, section 340.14, is amended by adding a subdivision to read:

Subd. 1b. [CLOSING HOURS.] (a) A licensed on-sale premise prohibited by local ordinance from remaining open after 1 a.m. may remain open beyond that hour on any day when sales of intoxicating liquor are otherwise permitted, provided that a permit is obtained under this subdivision and no intoxicating liquor is sold after the hour required under subdivisions 1 and 5.

(b) A municipality may issue a permit to allow an establishment to remain open after hours; as allowed by this subdivision, provided that no permit may be issued to an establishment which has, within the preceding three years, been found

to have sold intoxicating liquor after the hours set forth in subdivisions 1 and 5. A municipality may revoke a permit under this subdivision if intoxicating liquor is sold after the hours set forth in subdivisions 1 and 5. The fee for the permit may not exceed \$25.

(c) *This subdivision is repealed effective June 30, 1986.*

Amend the title as follows:

Page 1, line 5, delete "section" and insert "sections 340.034, by adding a subdivision; and"

Page 1, line 5, delete "subdivision 5;" and insert "by adding a subdivision."

Page 1, delete lines 6 and 7

With the recommendation that when so amended the bill pass.

The report was adopted.

Rice from the Committee on Appropriations to which was referred:

H. F. No. 2004, A bill for an act relating to health; requiring the commissioner of health to conduct studies and disseminate information about hazardous substances; appropriating money; proposing new law coded in Minnesota Statutes, chapter 144.

Reported the same back with the following amendments:

Page 3, line 9, delete "\$112,500" and insert "\$73,800"

With the recommendation that when so amended the bill pass.

The report was adopted.

Rice from the Committee on Appropriations to which was referred:

H. F. No. 2068, A bill for an act relating to occupations and professions; establishing a task force on sexual exploitation by counselors and therapists.

Reported the same back with the following amendments:

Page 2, after line 27, insert:

"Sec. 2. [APPROPRIATION.]

There is appropriated to the department of corrections from the general fund \$33,000 for the purposes of this act. This appropriation is available until June 30, 1985."

Renumber the subsequent section

Amend the title as follows:

Page 1, line 4, before the period insert "; appropriating money"

With the recommendation that when so amended the bill pass.

The report was adopted.

Rice from the Committee on Appropriations to which was referred:

H. F. No. 2113, A bill for an act relating to motor fuels; setting standards for gasoline and gasoline-alcohol blends; providing testing authority for the weights and measures division of the department of public service; requiring alcohol content disclosure; providing for labeling; appropriating money; amending Minnesota Statutes 1982, sections 296.01, subdivision 3, and by adding a subdivision; 296.05, subdivisions 1, 4, 6, and by adding a subdivision; and 296.22, by adding a subdivision.

Reported the same back with the recommendation that the bill pass.

The report was adopted.

SECOND READING OF HOUSE BILLS

H. F. Nos. 288, 471, 1501, 1667, 1708, 1750, 2004, 2068 and 2113 were read for the second time.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker:

I hereby announce the passage by the Senate of the following Senate File, herewith transmitted:

S. F. No. 1977.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce the passage by the Senate of the following Senate File, herewith transmitted:

S. F. No. 2043.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce the passage by the Senate of the following Senate File, herewith transmitted:

S. F. No. 1807.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce the passage by the Senate of the following Senate Files, herewith transmitted:

S. F. Nos. 924, 1442 and 2109.

PATRICK E. FLAHAVEN, Secretary of the Senate

FIRST READING OF SENATE BILLS

S. F. No. 1977, A bill for an act relating to economic development; clarifying provisions relating to the export finance authority; amending Minnesota Statutes 1983 Supplement, sections 17.104, by adding a subdivision; and 17.105, subdivisions 1, 3, 4, and 7.

The bill was read for the first time.

Eken moved that S. F. No. 1977 and H. F. No. 2085, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 2043, A bill for an act relating to the legislative auditor; authorizing the audit of metropolitan agencies, boards, and commissions; amending Minnesota Statutes 1982, sections 3.971, subdivision 1; 473.08, subdivision 4; 473.141, by adding a subdivision; 473.413, subdivision 11; 473.543, subdivision 5; 473.-

595, subdivision 5; 473.604, by adding a subdivision; 473.703, by adding a subdivision; and Minnesota Statutes 1983 Supplement, section 3.972, subdivision 2.

The bill was read for the first time.

Welch moved that S. F. No. 2043 and H. F. No. 2157, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 1807, A bill for an act relating to commerce; clarifying the right of indirect purchasers to sue for damages under the Minnesota Antitrust Law of 1971; amending Minnesota Statutes 1982, section 325D.57.

The bill was read for the first time.

Rodosovich moved that S. F. No. 1807 and H. F. No. 1843, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 924, A bill for an act relating to marriage dissolution; excluding mediators' information except on consent of the parties; providing for deposing of investigators; amending Minnesota Statutes 1982, section 518.167.

The bill was read for the first time.

Cohen moved that S. F. No. 924 and H. F. No. 1230, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 1442, A bill for an act relating to resident aliens; clarifying the rights and responsibilities of resident aliens with respect to the distribution of economic benefits, militia enlistment, and veterans affairs; amending Minnesota Statutes 1982, sections 43A.11, subdivision 1; 60A.19, subdivision 7; 64A.10, subdivision 1; 85.018, subdivision 6; 98.45, subdivision 4; 98.47, subdivisions 8 and 15; 137.10; 147.25; 181.59; 184.26, subdivision 3; 190.06, subdivision 3; 197.03; 197.05; 197.447; 197.63, subdivision 1; 198.01; 256E.08, subdivision 10; 340.02, subdivision 8; 340.13, subdivision 12; 340.403, subdivision 3; 359.01; 360.015, subdivision 9; 395.14; 462.525, subdivision 10; 617.34; and 617.35; and Minnesota Statutes 1983 Supplement, section 51A.03, subdivision 1.

The bill was read for the first time.

Kahn moved that S. F. No. 1442 and H. F. No. 1547, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 2109, A resolution memorializing the International Joint Commission, the President and Congress to effectuate an agreement between Minnesota and Ontario on joint management of their border waters.

The bill was read for the first time.

Tunheim moved that S. F. No. 2109 and H. F. No. 2189, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

NOTICE FOR SPECIAL ORDER

Pursuant to rule 1.9, Himle gave notice that on Wednesday, April 18, 1984, he will move to make the following bill a Special Order for Wednesday, April 18, 1984 at 8:00 p.m.:

H. F. No. 377, A bill for an act relating to taxation; income; increasing the pension income exclusion; amending Minnesota Statutes 1982, section 290.08, by adding a subdivision; Minnesota Statutes 1983 Supplement, section 290.01, subdivision 20b.

MOTIONS AND RESOLUTIONS

Jacobs moved that S. F. No. 1976 be recalled from the Committee on Regulated Industries and together with H. F. No. 1501, now on Technical General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

Kvam moved that his name be stricken as an author on H. F. No. 49. The motion prevailed.

Kalis moved that his name be stricken as an author on H. F. No. 1315. The motion prevailed.

Schafer moved that the name of Marsh be added as an author on H. F. No. 2005. The motion prevailed.

Swanson moved that the name of Findlay be added as an author on H. F. No. 2205. The motion prevailed.

Graba moved that the name of Olsen be added as an author on H. F. No. 2296. The motion prevailed.

Clark, K., moved that the name of Rodriguez, F., be added as an author on H. F. No. 1602. The motion prevailed.

Peterson moved that H. F. No. 361 be returned to its author. The motion prevailed.

ADJOURNMENT

Eken moved that when the House adjourns today it adjourn until 11:00 a.m., Tuesday, April 17, 1984. The motion prevailed.

Eken moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 11:00 a.m., Tuesday, April 17, 1984.

EDWARD A. BURDICK, Chief Clerk, House of Representatives

