

STATE OF MINNESOTA

SEVENTY-FOURTH SESSION - 1985

TWENTY-FIFTH DAY

SAINT PAUL, MINNESOTA, THURSDAY, MARCH 14, 1985

The House of Representatives convened at 2:00 p.m. and was called to order by David M. Jennings, Speaker of the House.

Prayer was offered by Pastor Hubert "Hub" Nelson, Bethlehem Lutheran Church, Minneapolis, Minnesota.

The roll was called and the following members were present:

Anderson, C.	Ellingson	Krueger	Otis	Simoneau
Anderson, R.	Erickson	Kvam	Ozment	Skoglund
Backlund	Fjoslien	Levi	Pappas	Solberg
Battaglia	Forsythe	Lieder	Pauly	Sparby
Beard	Frederick	Long	Peterson	Stanis
Becklin	Frederickson	Marsh	Piepho	Staten
Begich	Frerichs	McDonald	Piper	Sviggum
Bennett	Greenfield	McEachern	Poppenhagen	Thiede
Bishop	Gruenes	McLaughlin	Price	Thorson
Blatz	Gutknecht	McPherson	Quinn	Tjornhom
Boerboom	Halberg	Metzen	Quist	Tomlinson
Boo	Hartinger	Miller	Redalen	Tompkins
Brinkman	Hartle	Minne	Rees	Tunheim
Brown	Haukoos	Munger	Rest	Uphus
Burger	Heap	Murphy	Richter	Valan
Carlson, D.	Himle	Nelson, D.	Rodosovich	Valento
Carlson, J.	Jacobs	Nelson, K.	Rose	Vanasek
Carlson, L.	Jaros	Neuenschwander	Sarna	Voss
Clark	Jennings, L.	Norton	Schafer	Waltman
Clausnitzer	Johnson	O'Connor	Scheid	Welle
Cohen	Kahn	Ogren	Schoenfeld	Wenzel
Dempsey	Kalis	Olsen, S.	Schreiber	Wynia
DenOuden	Kiffmeyer	Olson, E.	Seaberg	Zaffke
Dimler	Knickerbocker	Omann	Segal	Spk. Jennings, D.
Dyke	Knuth	Onnen	Shaver	
Elioff	Kostohryz	Osthoff	Sherman	

A quorum was present.

Brandl, Kelly, Rice and Vellenga were excused.

McKasy and Riveness were excused until 2:40 p.m.

The Chief Clerk proceeded to read the Journal of the preceding day. Gutknecht moved that further reading of the Journal

be dispensed with and that the Journal 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. 428, 511, 603, 267, 329, 530, 602, 67, 268 and 538 and S. F. Nos. 379 and 42 have been placed in the members' files.

S. F. No. 42 and H. F. No. 53, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

SUSPENSION OF RULES

Fjoslien moved that the rules be so far suspended that S. F. No. 42 be substituted for H. F. No. 53 and that the House File be indefinitely postponed. The motion prevailed.

PETITIONS AND COMMUNICATIONS

The following communications were received:

STATE OF MINNESOTA
OFFICE OF THE SECRETARY OF STATE
ST. PAUL 55155

March 4, 1985

The Honorable David M. Jennings
Speaker of the House of Representatives

The Honorable Jerome M. Hughes
President of the Senate

I have the honor to inform you that the following enrolled Acts of the 1985 Session of the State Legislature have been received from the Office of the Governor and are deposited in the Office of the Secretary of State for preservation, pursuant to the State Constitution, Article IV, Section 23:

<i>S.F. No.</i>	<i>H.F. No.</i>	<i>Session Laws Chapter No.</i>	<i>Date Approved 1985</i>	<i>Date Filed 1985</i>
328		3	March 4	March 4

Sincerely,

JOAN ANDERSON GROWE
Secretary of State

25th Day]

THURSDAY, MARCH 14, 1985

619

STATE OF MINNESOTA
OFFICE OF THE SECRETARY OF STATE
ST. PAUL 55155

March 5, 1985

The Honorable David M. Jennings
Speaker of the House of Representatives

The Honorable Jerome M. Hughes
President of the Senate

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<i>S.F. No.</i>	<i>H.F. No.</i>	<i>Session Laws Chapter No.</i>	<i>Date Approved 1985</i>	<i>Date Filed 1985</i>
54		4	March 5	March 5

Sincerely,

JOAN ANDERSON GROWE
Secretary of State

STATE OF MINNESOTA
OFFICE OF THE SECRETARY OF STATE
ST. PAUL 55155

March 8, 1985

The Honorable David M. Jennings
Speaker of the House of Representatives

The Honorable Jerome M. Hughes
President of the Senate

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<i>S.F. No.</i>	<i>H.F. No.</i>	<i>Session Laws Chapter No.</i>	<i>Date Approved 1985</i>	<i>Date Filed 1985</i>
252		5	March 8	March 8

Sincerely,

JOAN ANDERSON GROWE
Secretary of State

REPORTS OF STANDING COMMITTEES

Rose from the Committee on Environment and Natural Resources to which was referred:

H. F. No. 156, A bill for an act relating to hazardous waste; establishing a hazardous substance compensation trust account; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 115B.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. [115B.25] [DEFINITIONS.]

The terms used in sections 2 to 14 have the definitions given them in section 115B.02 except that the term "fund" means the hazardous substance injury compensation fund established in section 2.

Sec. 2. [115B.26] [HAZARDOUS SUBSTANCE INJURY COMPENSATION FUND.]

A hazardous substance injury compensation fund is established as an account in the state treasury. The state treasurer shall credit to the trust fund account all amounts received by direct appropriation from the general fund as well as amounts received pursuant to sections 12 and 14. The state treasurer shall invest trust fund money pursuant to section 11A.25. Earnings, such as interest, dividends, and any other earnings arising from trust fund assets, must be credited to the trust fund.

Sec. 3. [115B.27] [HAZARDOUS SUBSTANCE INJURY COMPENSATION BOARD.]

Subdivision 1. [ESTABLISHMENT OF BOARD.] The hazardous substance injury compensation board is established within the department of health. The board will consist of three members who will serve part time and who will be appointed by the governor subject to the advice and consent of the senate. At least one member shall be a physician knowledgeable in toxicology; at least one member shall be a member of the bar of this state; and the final member shall be a health professional knowledgeable in the area of hazardous substance injuries. Filling of vacancies on the board and removal of members are governed by section 15.0575.

Subd. 2. [MEMBERSHIP TERMS.] The initial members shall be appointed to terms as follows:

- (1) *the first member appointed for six years;*

- (2) *the second member appointed for four years; and*
- (3) *the third member appointed for two years.*

At the end of each member's term, the successor shall be appointed for six years and each successor thereafter shall be appointed for six years.

Subd. 3. [COMPENSATION AND EXPENSES.] *The board shall adopt a rule governing compensation of its members which must not exceed 80 percent of reasonable consultation fees charged by professionals with similar education and experience as board members. Expenses may be paid as for state employees.*

Sec. 4. [115B.28] [POWERS AND DUTIES OF THE BOARD.]

Subdivision 1. [DUTIES.] *In addition to performing duties specified elsewhere in sections 1 to 14 or in other law, the board shall:*

- (1) *provide all claimants with an opportunity for a hearing pursuant to section 10;*
- (2) *establish and maintain a principal office within the health department and other necessary temporary offices and appoint employees and agents as necessary and fix their duties;*
- (3) *promulgate rules as soon as practicable after the final member is appointed to include rules governing the method of practice and procedure before the board, the form and procedure for applications for compensation, and discovery proceedings;*
- (4) *publicize the availability of compensation and application procedures on a statewide basis with special emphasis on geographical areas surrounding sites identified by the pollution control agency as having releases prior to July 1, 1983;*
- (5) *collect data in consultation with the pollution control agency, the University of Minnesota medical and public health schools, and the medical community regarding injuries relating to exposure to hazardous substances; and*
- (6) *prepare and transmit to the governor and the legislature a biennial report to include data collected pursuant to clause (5), data from actual cases determined by the board including but not limited to number of cases, actual compensation received by each claimant, types of cases, and types of injuries compensated as they relate to types of hazardous substances as well as length of exposure, and board recommendations for legislative changes, further study, or any other recommendation aimed at improving the system of compensation.*

Subd. 2. [POWERS.] In addition to exercising any powers specified elsewhere in sections 1 to 14 or in other law, the board on its own initiative or on request by a claimant may:

(1) issue subpoenas for the appearance of witnesses and the production of books, records, studies, and other documents;

(2) administer oaths and affirmations and require affidavits and depositions within and without this state;

(3) take notice of judicially cognizable facts and general, technical, and scientific facts within the members' specialized knowledge;

(4) order a mental or physical examination of the claimant or an autopsy of a deceased person whose death is the basis of the claim, provided that notice is given to the person to be examined and that the claimant receives a copy of any resulting report;

(5) request from any source data to enable the board to perform its duties as specified in sections 1 to 14;

(6) grant emergency reparations pending the final determination of a claim if it is one with respect to which an award will probably be made and severe hardship will result to the claimant if immediate payment is not made; and

(7) reconsider any grant, amount of grant, or denial of compensation.

Sec. 5. [115B.29] [LIMITATION OF CLAIMS.]

Subdivision 1. [WHO MAY FILE CLAIM.] A person may file a claim with the commissioner pursuant to this section for compensation for death, injury, or disease caused by a release, in Minnesota, of a hazardous substance if:

(1) the person responsible for the release of the hazardous substance is unknown or cannot with reasonable diligence be determined;

(2) the loss is not compensable because the hazardous substance was placed or came to be located in or on the facility before July 1, 1983, or the judgment could not be satisfied in whole or in part against the person determined to be liable for the release of a hazardous substance;

(3) the facility from which the hazardous substance was released is owned or operated by the United States or any state or local government; or

(4) the claimant elects to file a claim against the trust account rather than proceed directly against a person responsible under section 115B.05 or any other law, including common law.

Subd. 2. [COMPENSABLE INJURIES.] Claims for compensation are limited to compensable losses suffered by the claimant as the result of any medically verifiable chronic or progressive disease, illness, or disability resulting from exposure to a hazardous substance such as cancer, organic nervous system disorders, or physical deformities, including malfunctions in reproduction, in humans or their offspring, or death. A chronic or progressive disease is a disease that does not typically manifest itself in humans within one year after initial exposure to the particular hazardous substance under the circumstances in question. If the board, after experience, determines that the above criterion is inappropriate or inequitable, it may recommend that the legislature amend it. The board may only disregard the above criterion if an individual claimant would be egregiously prejudiced by applying the criterion to the specific case. In disregarding the criterion the board must make specific findings supporting its action.

Subd. 3. [NONCOMPENSABLE INJURIES.] The following injuries are not compensable from this fund:

(1) an acute disease or condition that typically manifests itself within one year after initial exposure;

(2) personal injuries whether acute or chronic and progressive arising out of exposure sustained in the workplace or as a result of use of consumer products;

(3) any injury arising out of a release which occurred or is occurring within the geographical boundaries of any state other than Minnesota;

(4) damage to property;

(5) any injury about which the claimant knew or should have known more than six years prior to the date of initial application for compensation; except that any person whose cause of action accrued prior to July 1, 1981, may file a claim by July 1, 1987; and

(6) any other injury or loss not compensable under subdivision 1.

Sec. 6. [115B.30] [CHOICE OF FORUM.]

A claimant who receives an administrative award from the fund is not precluded from later bringing a personal injury

action in court for the same injury. Any judgment won by a claimant in a court action must be used first to repay the fund the amount of the administrative award. In any case where the final judgment does not exceed the administrative award by at least 25 percent, the presiding judge may assess costs and fees not including attorney fees against the claimant. A determination by the board whether to grant or deny compensation and the rationale for that determination are inadmissible as evidence in any later court action brought on the basis of the same injury, except the board determination is admissible solely as a basis for determining the amount to be subtracted from the judgment and returned to the fund.

Sec. 7. [115B.31] [CLAIM FOR COMPENSATION.]

Subdivision 1. [FORM.] A claim for compensation from the fund must be filed with the board on a claim form provided by the board. When a claim does not include all of the information required by subdivision 2 and applicable board rules, board staff shall notify a claimant of the absence of required information within 14 days of the filing of the claim. All required information must be received by the board not later than 30 days after the claimant received notice of its absence or the claim will be inactivated and may not be resubmitted for at least one year following the date of inactivation. The board may decide to refuse to inactivate a claim under this subdivision if it finds serious extenuating circumstance.

Subd. 2. [REQUIRED INFORMATION.] A claimant must provide as part of the claim:

(1) a sworn verification by the claimant of the facts set forth in the claim to the best of the claimant's knowledge;

(2) evidence that the claimant is a person who may file a claim within the meaning of section 5, subdivision 1;

(3) evidence of the claimant's exposure to a named hazardous substance because of a release;

(4) evidence that the claimant's exposure to the substance in the amount and duration experienced by the claimant could reasonably have been caused or significantly contributed to by the release;

(5) evidence that the exposure experienced by the claimant causes or significantly contributes to death or to personal injury or disease of the type suffered by the claimant;

(6) evidence of the death, personal injury or disease, and the resulting expenses incurred by the claimant, including but not limited to certification of the injury or loss and expenses

for the injury or loss made by hospitals, physicians, or other qualified certificates including a claimant's federal income tax return;

(7) evidence of other economic losses resulting from the death, personal injury, or disease; and

(8) information regarding any collateral sources of compensation.

Evidence required by clause (5) is unnecessary only in a case pertaining to the same hazardous substance released at the same site, the same level and duration of exposure, and the same injury or disease that were the subjects of an earlier case. In such a case, the claimant may cite or otherwise bring to the board's attention its own determination in the earlier case in place of the information required by clause (5) and the board may use the earlier case as dispositive of the case before it. In any other case where the facts are similar but not the same the board may not rely on an earlier determination as dispositive of the specific claim before it.

Sec. 8. [115B.32] [STANDARD FOR DETERMINATION OF PERSONAL INJURY CLAIM.]

The board shall grant compensation to a claimant who shows that it is more likely than not that:

(1) the claimant was exposed to a hazardous substance because of a release;

(2) the exposure to the substance in the amount and duration experienced by the claimant could reasonably have been caused or significantly contributed to by the release;

(3) the claimant suffers or has suffered a compensable injury that has caused compensable loss; and

(4) the compensable injury suffered by the claimant was caused or significantly contributed to by exposure to the hazardous substance in an amount and duration experienced by the claimant.

Sec. 9. [115B.33] [COMPENSABLE LOSSES.]

(1) One hundred percent of uninsured out-of-pocket medical expenses for up to five years from the onset of treatment;

(2) eighty percent of uninsured actual lost wages or business income in lieu of wages, caused by injury to the claimant, not to exceed \$20,000 per year for five years.

Sec. 10. [115B.34] [DETERMINATION OF CLAIMS.]

Subdivision 1. [ASSIGNMENT OF CLAIMS.] The chairman of the board shall assign each claim that has been accepted for filing to himself or herself or to another member of the board.

Subd. 2. [INITIAL DETERMINATION.] The board member to whom the claim is assigned shall examine the papers filed in support of the claim and cause an investigation to be conducted into the validity of the claim. The board member may decide in favor of the claimant in the amount claimed on the basis of the papers filed in support of the claim and the report of the investigation of it.

Subd. 3. [HEARING.] If the board member is unable to decide the case on the basis of the information in subdivision 2, he or she shall order an informal hearing. At this hearing the claimant may introduce further evidence to support the claim, including books, studies, reports, and any other written material as well as oral testimony of witnesses including experts. The board member may ask questions of the claimant and of any witnesses presented by the claimant. After the hearing, the board member shall make a determination granting or denying compensation.

Subd. 4. [CIRCULATION OF INITIAL DETERMINATION.] A determination made under subdivision 2 or 3 along with written reasons for the determination must be circulated to the other two board members as soon as practicable. Upon receipt of the determination each of the other two members will have 14 days to challenge it. If neither challenges the determination, a copy must be sent to the claimant who may challenge the decision by notifying the board within 30 days of receipt of the decision.

Subd. 5. [CHALLENGES.] If a board member or a claimant challenges a determination made pursuant to subdivision 2, 3, or 4, the full board must meet in conference to decide the claim. The board may decide to hold an informal hearing if one has not already been held or if not rehearing the claim would unfairly prejudice the claimant. The board shall make a final decision on the claim within 120 days of the filing of a completed claim form and supporting evidence. A copy of the final decision must be sent to the claimant, including, for a claim which is granted, an explanation of the form in which the claim will be paid.

Subd. 6. [APPEAL.] A decision of the board made pursuant to subdivision 5 is final. There shall be no appeal.

Sec. 11. [115B.35] [POWER TO DISBURSE MONEY FROM THE FUND.]

The board has the power to authorize disbursement from the fund by the secretary of the treasury for:

- (1) paying claims granted by the board; and*
- (2) reasonable administrative costs.*

Sec. 12. [115B.36] [AMOUNT AND FORM OF PAYMENT.]

The board shall compute the total amount of actual losses suffered by a successful claimant. From this amount, the board shall subtract the total amount of any compensation for these losses received by the claimant from other sources including, but not limited to, all forms of insurance and social security. If the amount of net uncompensated loss is less than \$250,000, the claimant shall receive the full amount of the net uncompensated loss in compensation from the fund. If the net uncompensated loss is greater than \$250,000, the claimant shall receive \$250,000.

Compensation from the fund may be awarded in a lump sum or in installments in the discretion of the board. The amount of any emergency award must be deducted from the final award, prorated over time if the final award is made in installments. Compensation from the fund is exempt from execution or attachment except by persons who have supplied services, products, or accommodations to the claimant directly related to the claimant's death, injury, or disease. The board may order that all or part of the compensation award be paid directly to these suppliers.

Sec. 13. [115B.37] [ATTORNEY FEES.]

The board shall adopt a rule to limit the fee charged by any attorney for representing a claimant before the board.

Sec. 14. [115B.38] [SUBROGATION.]

The state shall be subrogated to all the claimant's rights to recover for losses covered by the fund from other sources including responsible persons as defined in section 115B.03.

Sec. 15. [APPROPRIATION.]

\$1,000,000 is appropriated to the hazardous substance injury compensation trust fund from the general fund for the purpose of administering sections 1 to 14."

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Judiciary.

The report was adopted.

Fjoslien from the Committee on General Legislation and Veterans Affairs to which was referred:

H. F. No. 157, A bill for an act relating to elections; requiring that a candidate for school district office be a qualified voter; amending Minnesota Statutes 1984, section 123.32, subdivision 4.

Reported the same back with the following amendments:

Page 1, line 11, restore the stricken "person"

Page 1, line 12, delete "*qualified voter*" and insert "*eligible to hold office in the district*"

Page 1, line 16, strike "*qualified voter*" and insert "*person eligible to hold office*"

Amend the title as follows:

Page 1, line 3, delete "a qualified voter" and insert "eligible to hold office"

With the recommendation that when so amended the bill pass.

The report was adopted.

Bennett from the Committee on Commerce and Economic Development to which was referred:

H. F. No. 183, A bill for an act relating to commerce; modifying the finance charge on certain open end credit sales; amending Minnesota Statutes 1984, section 334.16.

Reported the same back with the following amendments:

Page 1, line 7, after the second comma insert "subdivision 1,"

Page 2, delete lines 6 to 22

Page 2, line 24, before the period insert "*, but does not apply to account balances outstanding on that date. The finance charges on these account balances may not exceed the rates permitted under Minnesota Statutes 1984, section 334.16*"

Amend the title as follows:

Page 1, line 4, before the period insert "*, subdivision 1*"

With the recommendation that when so amended the bill pass.

The report was adopted.

Knickerbocker from the Committee on Governmental Operations to which was referred:

H. F. No. 185, A bill for an act relating to utilities; prescribing membership on the public utilities commission; amending Minnesota Statutes 1984, section 216A.03, subdivision 1.

Reported the same back with the following amendments:

Page 1, line 9, strike "As of January 1, 1975"

Page 1, line 10, strike ", three of"

Page 1, strike line 11

Page 1, line 12, strike everything before the period

Page 1, strike lines 13 to 15

Page 1, line 16, strike everything except "the terms of"

Page 1, line 25, after "*appointment*" insert "*or reappointment*"

Page 1, line 25, delete the semicolon

Page 2, delete lines 1 to 7

Page 2, line 8, delete everything before the period

With the recommendation that when so amended the bill pass.

The report was adopted.

Carlson, D., from the Committee on Transportation to which was referred:

H. F. No. 221, A bill for an act relating to highways; designating the George Mann Memorial Highway; amending Minnesota Statutes 1984, section 161.14, by adding a subdivision.

Reported the same back with the following amendments:

Page 1, line 13, after "*signs*" insert a period and delete "*upon completion of*"

Page 1, delete lines 14 and 15 and insert:

"Sec. 2. [EFFECTIVE DATE.]

This act is effective the day following final enactment."

With the recommendation that when so amended the bill pass and be placed on the Consent Calendar.

The report was adopted.

Blatz from the Committee on Crime and Family Law to which was referred:

H. F. No. 274, A bill for an act relating to crimes; defining "dangerous weapon" to include flammable liquids; amending Minnesota Statutes 1984, section 609.02, subdivision 6.

Reported the same back with the recommendation that the bill pass.

The report was adopted.

Heap from the Committee on Labor-Management Relations to which was referred:

H. F. No. 284, A bill for an act relating to labor; regulating the tip credit for minimum wage purposes; amending Minnesota Statutes 1984, sections 177.24, subdivision 2; 177.28, subdivision 4; repealing Minnesota Statutes 1984, section 177.295.

Reported the same back with the recommendation that the bill pass.

The report was adopted.

Erickson from the Committee on Education to which was referred:

H. F. No. 322, A bill for an act relating to education; directing the commissioner of education to form an advisory committee on nonpublic schools; amending Minnesota Statutes 1984, section 123.935, by adding a subdivision.

Reported the same back with the following amendments:

Page 1, line 11, delete "five-member" and insert "15-member"

Page 1, line 12, delete "five" and insert "15"

Page 1, line 16, delete "commissioner" and insert "advisory committee"

Page 1, line 17, delete "*this section*" and insert "*sections 123.981 to 123.947*"

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Appropriations.

The report was adopted.

Blatz from the Committee on Crime and Family Law to which was referred:

H. F. No. 335, A bill for an act relating to corrections; removing certain information from the certified record for commitment of persons convicted of a felony or gross misdemeanor; amending Minnesota Statutes 1984, section 243.49.

Reported the same back with the recommendation that the bill pass and be placed on the Consent Calendar.

The report was adopted.

Kvam from the Committee on Financial Institutions and Insurance to which was referred:

H. F. No. 345, A bill for an act relating to insurance; no-fault automobile; providing mandatory underinsured motorist coverage; clarifying legislative intent concerning stacking of insurance policies; coordinating the priority of applicability of security for the payment of certain benefits; establishing tort threshold limitations on uninsured and underinsured motorist coverages; modifying the limitation of damages for noneconomic detriment; amending Minnesota Statutes 1984, sections 65B.43, by adding subdivisions; 65B.47, by adding a subdivision; 65B.49, subdivision 4, and by adding a subdivision; and 65B.51, subdivision 3.

Reported the same back with the following amendments:

Page 1, line 21, delete "*and the*"

Page 1, delete lines 22 and 23

Page 1, line 24, delete everything before the period

Page 3, lines 25 to 28, delete the new language

Page 5, delete section 8

Page 6, delete lines 7 and 8

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 11, after the second semicolon insert "and"

Page 1, line 12, delete the semicolon

Page 1, line 13, delete everything before the period

With the recommendation that when so amended the bill pass.

The report was adopted.

Blatz from the Committee on Crime and Family Law to which was referred:

H. F. No. 374, A bill for an act relating to crimes; providing that persons guilty of failing to comply with fire security measures are guilty of obstructing legal process; redefining arson in the third degree and negligent fires; prescribing penalties; amending Minnesota Statutes 1984, sections 299F.08, by adding a subdivision; 609.563; and 609.576; proposing coding for new law in Minnesota Statutes, chapter 609.

Reported the same back with the following amendments:

Page 1, line 16, after "*scenes*" insert "*for up to 48 hours after having extinguished the fire*"

Page 1, line 20, after the period insert "*An individual may enter the fire scene if accompanied by the fire official conducting the investigation, or if the individual obtains the fire official's written permission.*"

Page 1, line 22, delete "*and*" and insert a period

Page 1, delete lines 23 and 24

Page 1, line 24, after the period insert "*Nothing in this subdivision shall be construed to increase the civil liability of fire officials or to decrease municipal or state immunities as set forth in section 3.736 or 466.03.*"

Page 1, after line 24, insert:

"Sec. 2. Minnesota Statutes 1984, section 609.562, is amended to read:

609.562 [ARSON IN THE SECOND DEGREE.]

Whoever unlawfully by means of fire or explosives, intentionally destroys or damages any building not covered by section

609.561, *no matter what its value*, or any other real or personal property valued at more than \$2,500, whether the property of himself or another, may be sentenced to imprisonment for not more than ten years or to a fine of not more than \$20,000 or both."

Page 3, line 3, reinstate the stricken "is"

Page 3, line 4, reinstate the stricken "at least" and delete "*exceeds*"

Page 3, line 5, reinstate the stricken "less than 90 days nor"

Page 3, line 7, reinstate the stricken "is"

Page 3, line 8, delete "*exceeds*" and after "\$10,000" insert "*or more*"

Page 3, line 13, delete "4" and insert "5"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 5, after "the" insert "second and"

Page 1, line 5, delete "degree" and insert "degrees"

Page 1, line 7, before "609.563;" insert "609.562;"

With the recommendation that when so amended the bill pass.

The report was adopted.

Fjoslien from the Committee on General Legislation and Veterans Affairs to which was referred:

H. F. No. 381, A bill for an act relating to elections; delaying the applicability of certain handicapped accessibility provisions to towns; changing voting hours in towns; amending Minnesota Statutes 1984, sections 204B.16, by adding a subdivision; 204C.04; and 204C.05, subdivision 1.

Reported the same back with the following amendments:

Page 1, delete section 1

Page 1, line 19, delete "*no longer than two hours*" and insert "*a reasonable time*"

Page 2, delete lines 6 to 12 and insert:

"In a town which had fewer than 400 registered voters in the last statewide election, except a town located within a metropolitan county as defined in section 473.121, subdivision 4, the hours for voting shall begin at noon and extend continuously until 8:00 p.m. If at least 20 percent of the registered voters in the last election sign a petition for longer hours and present it to the town clerk, the voting hours shall begin at 10:00 a.m. If there is no petition, the town board, by resolution, may set the hours for voting to begin at a time earlier than noon. The clerk shall give 30 days notice of the changed hours and notify the county auditor of the change."

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 2, delete everything after the semicolon

Page 1, delete line 3

Page 1, line 5, delete "204B.16, by adding a"

Page 1, line 6, delete "subdivision;"

With the recommendation that when so amended the bill pass.

The report was adopted.

Knickerbocker from the Committee on Governmental Operations to which was referred:

H. F. No. 388, A bill for an act relating to taxation; establishing a legislative commission to study the distribution of property taxes on land values and improvement values; providing for a report by the department of revenue.

Reported the same back with the following amendments:

Page 1, line 8, delete "LEGISLATIVE"

Page 1, line 10, delete "legislative"

Page 1, line 15, delete "distribution" and insert "improvement"

Page 1, line 23, delete "1987" and insert "1986"

Page 2, after line 5, insert:

"In making its study and recommendations, the commission shall compare the use of site value taxation with the use of other

tax incentives designed to encourage economic development. The commission shall also evaluate the use of site value taxation in relation to other programs that affect the taxation of agricultural land."

Page 2, delete lines 6 to 16 and insert:

"Subd. 2. [MEMBERSHIP.] The commission consists of 15 members. Three senators shall be appointed by the senate committee on rules and administration and two senators shall be appointed by the minority leader of the senate. Three house members shall be appointed by the speaker of the house and two house members shall be appointed by the minority leader of the house. Five members shall be appointed by the governor. The commissioners of finance, energy and economic development, revenue, and state planning, or their designees, shall serve as nonvoting members. The commission shall select its own chair. Nonlegislative members shall serve without compensation, but shall be reimbursed for expenses as provided by section 15.059."

Page 2, line 25, delete "commission" and insert "legislative"

Page 2, line 26, delete "co-chair of"

Page 2, line 27, delete everything before the period and insert *"speaker of the house or the senate committee on rules and administration. The speaker of the house or the senate committee on rules and administration may delegate authority to approve expenses to the chair of the commission, so long as total expenses are within limits approved by the speaker or the senate committee on rules and administration"*

Page 2, delete line 31

Page 3, line 4, delete "January 1, 1986" and insert "October 1, 1985"

Page 3, after line 4, insert:

"The department must also provide to the commission during its existence the net and distributional tax effects of any commission proposals by classification and, if possible, also by county."

Page 3, line 7, after the period insert *"Sections 1 and 2 are repealed July 1, 1986."*

Amend the title as follows:

Page 1, line 2, delete "legislative"

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Taxes.

The report was adopted.

Fjoslien from the Committee on General Legislation and Veterans Affairs to which was referred:

H. F. No. 415, A bill for an act relating to elections; permitting certain reports to be made by certified mail; amending Minnesota Statutes 1984, section 10A.20, subdivision 5.

Reported the same back with the following amendments:

Page 1, line 11, strike "\$200 or more" and insert "*more than \$400*"

With the recommendation that when so amended the bill pass.

The report was adopted.

McDonald from the Committee on Agriculture to which was referred:

H. F. No. 427, A bill for an act relating to agriculture; authorizing conservation reserve contracts covering marginal agricultural land; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 17.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. [SHORT TITLE.]

Sections 1 to 7 may be cited as the "Minnesota conservation reserve act of 1985."

Sec. 2. [PURPOSE.]

The legislature finds that certain marginal farm lands should be kept out of annual crop production to protect our soil and water quality and support wildlife habitat.

It is the purpose of sections 1 to 7 to help our depressed farm economy by placing conservation dollars where they will give financially distressed farmers relief by enhancing the natural resource values of marginal agricultural land and by protecting and developing wildlife habitat. It is the policy of the state to encourage the retirement of marginal or highly erosive lands from crop production and the reestablishment on those lands of a cover of perennial vegetation or grain to be left as food for wildlife.

Sec. 3. [40.41] [DEFINITIONS.]

Subdivision 1. [SCOPE.] As used in sections 3 to 7, the following terms have the meanings given.

Subd. 2. [COMMISSIONER.] "Commissioner" means the commissioner of agriculture.

Subd. 3. [MARGINAL AGRICULTURAL LAND.] "Marginal agricultural land" means land which is composed of class IIIe, IVe, V, VI, VII, or VIII soil as identified in the land capability classification system of the United States department of agriculture and the county soil survey, if completed. Examples of this land include, but are not limited to, cropland adjacent to streams, lakes and marshes, hillsides, drainage ditch rights of way, native and perennial grasses, sinkholes, roadsides, and river bottoms.

Sec. 4. [40.42] [ELIGIBLE LAND.]

Marginal agricultural land that is eligible for the conservation reserve program must be:

- (1) privately owned by a Minnesota resident;*
- (2) land that is not currently set aside or diverted under another federal or state government program; and*
- (3) land that has been in crop production for wheat, corn, oats, barley, soybeans, grain or cane sorghum, sugar beets, forage crops or pasture, in two of the five calendar years prior to the effective date of this section.*

Sec. 5. [40.43] [CONSERVATION RESERVE PROGRAM.]

Subdivision 1. [AUTHORITY.] The commissioner may enter into contractual agreements with landowners for the conservation of marginal agricultural land. The agreements must be for a period of five to ten years, with provision for renewal for additional five-year to ten-year periods. No payment may exceed \$10,000 to an eligible landowner in any year of the agreement. The commissioner may re-examine the payment rates and the condition of the established cover at the beginning of any five-year renewal period in the light of the then current land and crop values and make needed adjustments in rates and cover payments for any renewal period. Contracts authorized by this section are exempt from contractual provisions of chapter 16B.

Subd. 2. [AGREEMENT.] In the agreement with the commissioner, a resident landowner must agree:

- (1) to place in the program for the period of the agreement marginal agricultural land he or she and the commissioner*

designate, which is not more than 20 percent of the landowner's total acreage within the state;

(2) to seed the lands, as specified in the agreement but no later than May 15 for spring seeding in the first year of the agreement so as to establish and maintain a continuous cover either of a grass-legume mixture or native grasses for the term of the agreement at seeding rates determined by the commissioner, or to plant corn, sorghum, or other grain on three acres of the lands which are adjacent to a swamp or woods at the appropriate times in the first year of the agreement and at the appropriate times in any succeeding year in which the resident landowner chooses to plant grain rather than to establish and maintain a grass cover on the three acres. Grain planted pursuant to this provision may not be harvested and must be left available for consumption by wild animals. The grain must be planted in contour strips no more than 100 feet wide which are at least 100 feet apart from each other;

(3) not to burn, fill, impair, or destroy the wildlife habitat and other natural features of the land, nor to use the land for agricultural crop production purposes, as determined by the commissioner;

(4) not to allow the grazing of domestic livestock except, with the approval of the commissioner after consultation with the commissioner of natural resources, in the case of severe drought or other natural disasters;

(5) not to conduct chemical spraying or mowing, except for spot weed control or for emergency control of pests necessary to protect public health;

(6) not to convert other woodlots, shelterbelts, windbreaks, brushlands, native prairie, wild hay land, or other marginal agricultural land which has not been in crop production and which is a part of the same farm operation to the production of wheat, corn, oats, barley, soybeans, grain or cane sorghum, sugar beets, forage crops, or pasture during the term of the agreement;

(7) to forfeit all rights to further payments and to refund to the state all payments received under the agreement upon violation of the agreement at any stage during the time the landowner has control of the land subject to the agreement, if the commissioner determines that the violation is of such a nature as to warrant termination of the agreement. The commissioner may require that the landowner make refunds or accept payment adjustments the commissioner considers appropriate if the commissioner determines that the violation by the landowner does not warrant termination of the agreement;

(8) not to adopt any practice specified by the commissioner in the agreement as a practice that would tend to defeat the purposes of the agreement; and

(9) to any additional provisions which the commissioner determines are desirable and includes in the agreement to effectuate the purposes of the program or to facilitate its administration.

Subd. 3. [DUTY OF COMMISSIONER.] In return for the agreement of the landowner, the commissioner shall:

(1) immediately make a payment to the landowner in an amount determined by the commissioner, but not more than \$75 per acre, to establish the cover crop required by the agreement, or, in the case of landowners who choose to plant grain for consumption by wild animals, in an amount determined by the commissioner, but not more than \$100 per acre for the three acres, to plant the grain as required by the agreement;

(2) make annual payments to the owner for the period of the agreement at a rate of five percent or, in the case of landowners who choose to plant grain for consumption by wild animals, 7-1/2 percent per year of the most recent fair market value of the landowner's agricultural land as established by the county assessor; and

(3) provide advice the commissioner considers appropriate on land conservation through the local soil and water conservation district in cooperation with field personnel of the department of natural resources.

Subd. 4. [AGREEMENT RENEWAL.] Any agreement may be renewed or extended at the end of the agreement period for an additional period of five to ten years by mutual agreement of the commissioner and the landowner, subject to any rate re-determination by the commissioner. If during the agreement period the landowner sells or otherwise gives up the ownership or right of occupancy of the land, the new landowner shall continue the agreement under the same terms or conditions or enter into a new agreement in accordance with the provisions of this section, including the provisions for renewal and adjustment of payment rates.

Subd. 5. [AGREEMENT TERMINATION.] The commissioner and the landowner may terminate any agreement if the commissioner finds that the termination would be in the public interest and the commissioner may agree to any agreement modifications the commissioner considers desirable to carry out the purposes of the program or facilitate its administration, except that no changes in payment rates are authorized during the terms of the agreement.

Sec. 6. [40.44] [COOPERATION AND TECHNICAL ASSISTANCE.]

Subdivision 1. [COOPERATION.] In implementing sections 3 to 7, the commissioner must share information and cooperate with the department of natural resources, the United States fish and wildlife service, the agricultural stabilization and conservation service and soil conservation service of the United States department of agriculture, the agricultural extension service of the University of Minnesota, county boards, and interested private organizations and individuals.

Subd. 2. [TECHNICAL ASSISTANCE.] The commissioner must provide needed technical assistance through the local soil and water conservation districts to landowners enrolled in the conservation reserve program. The commissioner of natural resources shall provide technical advice and assistance to the commissioner on the form and content of the conservation reserve agreement, on cultural practices relating to the establishment and maintenance of permanent cover, and in monitoring the terms and conditions of the agreements. The commissioners of agriculture and natural resources shall jointly prepare an informational booklet on other state and federal programs for land acquisition, conservation, and retirement that must be made available to each eligible landowner for the conservation reserve program in sections 3 to 7.

Sec. 7. [40.45] [RULES.]

The commissioner may adopt rules, including emergency rules, to administer sections 3 to 7.

Sec. 8. [APPROPRIATION.]

\$10,000,000 is appropriated from the general fund in the state treasury to the commissioner for the biennium ending July 1, 1987, to carry out the provisions of this act. This appropriation shall not cancel but shall remain available until expended.

Sec. 9. [EFFECTIVE DATE.]

This act is effective the day following final enactment."

Amend the title as follows:

Page 1, line 5, delete "17" and insert "40"

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Appropriations.

The report was adopted.

Knickerbocker from the Committee on Governmental Operations to which was referred:

H. F. No. 440, A bill for an act relating to retirement; making various changes in laws governing public retirement funds; amending Minnesota Statutes 1984, sections 3.85, subdivisions 11 and 12; 353.656, subdivision 1; 353.657, subdivision 2a; 354.44, subdivision 6; 354A.35, subdivision 1; 356.20, subdivision 4; 356.215, subdivision 4; 356.216; and 356.70.

Reported the same back with the following amendments:

Pages 3 and 4, delete section 3

Page 19, line 22, delete "*shall*"

Page 19, line 23, delete "*prepare questionnaires which*" and insert "*with the cooperation of*"

Page 19, line 24, delete "*submit to*"

Page 19, line 25, strike "employing units"

Page 19, lines 29 to 31, delete the new language and strike the old language

Page 19, line 32, delete "*of finance*" and strike "*shall*"

Page 19, line 34, after "*legislature*" insert "*by February 1, 1986*"

Page 20, line 17, delete "*10*" and insert "*9*"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 5, delete "353.656, subdivision 1;"

With the recommendation that when so amended the bill pass.

The report was adopted.

Carlson, D., from the Committee on Transportation to which was referred:

H. F. No. 454, A bill for an act relating to motor vehicles; providing defense to charge of operating motor vehicle without valid registration; amending Minnesota Statutes 1984, sections 168.09, by adding a subdivision; and 168.11, by adding a subdivision.

Reported the same back with the following amendments:

Page 2, line 2, after the period insert "*The request may be made through a deputy registrar.*"

With the recommendation that when so amended the bill pass.

The report was adopted.

Knickerbocker from the Committee on Governmental Operations to which was referred:

H. F. No. 509, A bill for an act relating to statutes; providing free distribution of Minnesota Statutes to library of largest municipality of each county; amending Minnesota Statutes 1984, section 3C.12, subdivision 2.

Reported the same back with the recommendation that the bill pass and be placed on the Consent Calendar.

The report was adopted.

Schreiber from the Committee on Taxes to which was referred:

H. F. No. 556, A bill for an act relating to taxation; modifying certain procedures relating to taxpayer appeals; requiring apportionment of levies in specific situations; changing the tax treatment of certain exempt property; clarifying the calculation of property tax credits; clarifying the tax treatment of certain pipelines; modifying provisions relating to the payment of property taxes; allowing for sales of sample packs of cigarettes containing 25 cigarettes; clarifying procedures relating to the sale of cigarettes to American Indians; altering the eligibility for confessions of judgment; providing for the recording of state deeds; modifying the deed stamp tax procedure; clarifying the computation of gross earnings tax for taconite railroads; clarifying labor credit provisions; clarifying process of taconite aid guarantee phase out; clarifying cost of doing business provisions for cigarette wholesalers; requiring payment of current taxes before conveyance of registered land; allowing for memorializing of state deeds on certificates of title; clarifying cancellation of contract for deed provisions; amending Minnesota Statutes 1984, sections 270.076, subdivision 2; 270.11, subdivision 7; 270.12, subdivision 3; 272.01, subdivision 2, and by adding a subdivision; 272.02, subdivision 1; 273.123, subdivision 5; 273.13, subdivision 4; 273.138, subdivision 5; 273.33, subdivisions 1 and 2; 279.01, subdivision 1; 279.37, subdivision 1; 282.01, subdivision 6; 282.014; 282.301; 282.33, subdivision 1; 282.36; 287.25; 294.22; 297.03, subdivision 10; 297.041; 298.02, subdivision 1; 298.225; 325D.32, subdivisions 10 and 11; 473H.10, subdivision 3; 508.47, subdivision 1; 508.71, subdivision 4; 559.21, by adding a subdivi-

sion; proposing coding for new law in Minnesota Statutes, chapter 273; repealing Minnesota Statutes 1984, sections 273.19; 297.02, subdivision 2; and 477A.04.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1984, section 270.076, subdivision 2, is amended to read:

Subd. 2. In case of appeal from the assessment and levy of the tax, the airline company shall currently pay when due (THAT PORTION) *90 percent of the tax (WHICH IS ADMITTED TO BE DUE) unless the payment is waived or otherwise adjusted by an order of the court.* If the final determination of the litigation should result in sustaining the assessment and levy or in the finding that the amount paid by the airline company is insufficient, the difference between the amount paid and the amount which should have been paid shall be decreed delinquent taxes subject to interest, as hereinabove provided. If the final determination of the tax court or the supreme court shall result in increasing any assessment above that which was made final by the order of the commissioner from which the appeal is taken, then the taxes on such increased assessment shall be delinquent 30 days after notice of the amount of the increased tax shall have been given to the airline company by the commissioner.

Sec. 2. Minnesota Statutes 1984, section 270.11, subdivision 7, is amended to read:

Subd. 7. [APPEARANCES BEFORE THE COMMISSIONER.] A property owner, other than a public utility (,) or mining company (OR THE METROPOLITAN AIRPORT COMMISSION), for which the original assessments are determined by the commissioner of revenue, may not appear before the commissioner for the purposes provided in subdivisions 5 or 6 unless a timely appearance in person, by counsel, or by written communication has been made before the county board of equalization as provided in section 274.13, to appeal the assessment of the property, or that he can establish that he did not receive notice of his market value at least five days before the local board of review meeting.

The commissioner may refuse to hear an appeal that is within the jurisdiction of the small claims division of the tax court as stated in section 271.21, subdivision 2. The property owner shall be notified by the commissioner of the right to appeal to the small claims division whenever an appeal to the commissioner is denied.

Sec. 3. Minnesota Statutes 1984, section 270.12, subdivision 3, is amended to read:

Subd. 3. For taxes levied in (1983) 1985 and thereafter when a taxing jurisdiction lies in two or more counties, if the sales ratio studies prepared by the department of revenue show that the average levels of assessment in the several portions of the taxing jurisdictions in the different counties differ by more than five percent, the board (SHALL) *may* order the apportionment of the levy (.). *When the sales ratio studies prepared by the department of revenue show that the average levels of assessment in the several portions of the taxing jurisdictions in the different counties differ by more than ten percent, the board shall order the apportionment of the levy unless (a) the proportion of total adjusted assessed value in one of the counties is less than ten percent of the total adjusted assessed value in the taxing jurisdiction and the average level of assessment in that portion of the taxing jurisdiction is the level which differs by more than five percent from the assessment level in any one of the other portions of the taxing jurisdiction; (b) significant changes have been made in the level of assessment in the taxing jurisdiction which have not been reflected in the sales ratio study, and those changes alter the assessment levels in the portions of the taxing jurisdiction so that the assessment level now differs by five percent or less; or (c) commercial, industrial, mineral, or public utility property predominates in one county within the taxing jurisdiction and another class of property predominates in another county within that same taxing jurisdiction. If one or more of these factors are present, the board may order the apportionment of the levy.*

Notwithstanding any other provision, the levy for the metropolitan mosquito control district, metropolitan council, metropolitan transit district, and metropolitan transit area must be apportioned without regard to the percentage difference.

If, pursuant to this subdivision, the board apportions the levy, then that levy apportionment among the portions in the different counties shall be made in the same proportion as the adjusted assessed value as determined by the equalization aid review committee in each portion ~~is~~ to the total adjusted assessed value of the taxing jurisdiction.

For the purposes of this section, the average level of assessment in a taxing jurisdiction or portion thereof shall be the aggregate assessment sales ratio. Assessed values as determined by the equalization aid review committee shall be the values as determined for the year preceding the year in which the levy to be apportioned is levied.

Actions pursuant to this subdivision shall be commenced subsequent to the annual meeting on August 15 of the state board of equalization, but notice of the action shall be given to the affected jurisdiction and the appropriate county auditors by the following November 15.

Apportionment of a levy pursuant to this subdivision shall be considered as a remedy to be taken after equalization pursuant to subdivision 2, and when equalization within the jurisdiction would disturb equalization within other jurisdictions of which the several portions of the jurisdiction in question are a part.

Sec. 4. Minnesota Statutes 1984, section 272.02, subdivision 1, is amended to read:

Subdivision 1. All property described in this section to the extent herein limited shall be exempt from taxation:

- (1) All public burying grounds;
- (2) All public schoolhouses;
- (3) All public hospitals;
- (4) All academies, colleges, and universities, and all seminaries of learning;
- (5) All churches, church property, and houses of worship;
- (6) Institutions of purely public charity except parcels of property containing structures and the structures assessed pursuant to section 273.13, subdivisions 17, 17b, 17c or 17d;
- (7) All public property exclusively used for any public purpose;
- (8) Except for the taxable personal property enumerated below, all personal property and the property described in section 272.03, subdivision 1, clause (c) shall be exempt.

The following personal property shall be taxable:

(a) personal property which is part of an electric generating, transmission, or distribution system or a pipeline system transporting or distributing water, gas, *crude oil*, or petroleum products or mains and pipes used in the distribution of steam or hot or chilled water for heating or cooling buildings and structures;

(b) railroad docks and wharves which are part of the operating property of a railroad company as defined in section 270.80;

(c) personal property defined in section 272.03, subdivision 2, clause (3);

(d) leasehold or other personal property interests which are taxed pursuant to section 272.01, subdivision 2; 273.13, subdivi-

sion 7b or 7d; or 273.19, subdivision 1; or any other law providing the property is taxable as if the lessee or user were the fee owner;

- (e) property classified as class 2a property; and
- (f) flight property as defined in section 270.071.

(9) Real and personal property used primarily for the abatement and control of air, water, or land pollution to the extent that it is so used, other than real property used primarily as a solid waste disposal site.

Any taxpayer requesting exemption of all or a portion of any equipment or device, or part thereof, operated primarily for the control or abatement of air or water pollution shall file an application with the commissioner of revenue. The equipment or device shall meet standards, regulations or criteria prescribed by the Minnesota Pollution Control Agency, and must be installed or operated in accordance with a permit or order issued by that agency. The Minnesota Pollution Control Agency shall upon request of the commissioner furnish information or advice to the commissioner. If the commissioner determines that property qualifies for exemption, he shall issue an order exempting the property from taxation. The equipment or device shall continue to be exempt from taxation as long as the permit issued by the Minnesota Pollution Control Agency remains in effect.

(10) Wetlands. For purposes of this subdivision, "wetlands" means (1) land described in section 105.37, subdivision 15, or (2) land which is mostly under water, produces little if any income, and has no use except for wildlife or water conservation purposes, provided it is preserved in its natural condition and drainage of it would be legal, feasible, and economically practical for the production of livestock, dairy animals, poultry, fruit, vegetables, forage and grains, except wild rice. "Wetlands" shall include adjacent land which is not suitable for agricultural purposes due to the presence of the wetlands. "Wetlands" shall not include woody swamps containing shrubs or trees, wet meadows, meandered water, streams, rivers, and floodplains or river bottoms. Exemption of wetlands from taxation pursuant to this section shall not grant the public any additional or greater right of access to the wetlands or diminish any right of ownership to the wetlands.

(11) Native prairie. The commissioner of the department of natural resources shall determine lands in the state which are native prairie and shall notify the county assessor of each county in which the lands are located. Pasture land used for livestock grazing purposes shall not be considered native prairie for the purposes of this clause and section 273.116. Upon receipt of an application for the exemption and credit provided in this

clause and section 273.116 for lands for which the assessor has no determination from the commissioner of natural resources, the assessor shall refer the application to the commissioner of natural resources who shall determine within 30 days whether the land is native prairie and notify the county assessor of his decision. Exemption of native prairie pursuant to this clause shall not grant the public any additional or greater right of access to the native prairie or diminish any right of ownership to it.

(12) Property used in a continuous program to provide emergency shelter for victims of domestic abuse, provided the organization that owns and sponsors the shelter is exempt from federal income taxation pursuant to section 501(c)(3) of the Internal Revenue Code of 1954, as amended through December 31, 1982, notwithstanding the fact that the sponsoring organization receives funding under section 8 of the United States Housing Act of 1937, as amended.

(13) If approved by the governing body of the municipality in which the property is located, property not exceeding one acre which is owned and operated by 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; provided the property is used primarily as a clubhouse, meeting facility or recreational facility by the group or association and the property is not used for residential purposes on either a temporary or permanent basis.

(14) To the extent provided by section 295.44, real and personal property used or to be used primarily for the production of hydroelectric or hydromechanical power on a site owned by the state or a local governmental unit which is developed and operated pursuant to the provisions of section 105.482, subdivisions 1, 8 and 9.

(15) If approved by the governing body of the municipality in which the property is located, and if construction is commenced after June 30, 1983:

(a) a "direct satellite broadcasting facility" operated by a corporation licensed by the federal communications commission to provide direct satellite broadcasting services using direct broadcast satellites operating in the 12-ghz. band;

(b) a "fixed satellite regional or national program service facility" operated by a corporation licensed by the federal communications commission to provide fixed satellite-transmitted regularly scheduled broadcasting services using satellites operating in the 6-ghz. band; and

(c) a facility at which a licensed Minnesota manufacturer produces distilled spirituous liquors, liqueurs, cordials, or liquors designated as specialties regardless of alcoholic content, but not including ethyl alcohol, distilled with a majority of the ingredients grown or produced in Minnesota. An exemption provided by paragraph (15) shall apply for a period not to exceed five years. When the facility no longer qualifies for exemption, it shall be placed on the assessment rolls as provided in subdivision 4. Before approving a tax exemption pursuant to this paragraph, the governing body of the municipality shall provide an opportunity to the members of the county board of commissioners of the county in which the facility is proposed to be located and the members of the school board of the school district in which the facility is proposed to be located to meet with the governing body. The governing body shall present to the members of those boards its estimate of the fiscal impact of the proposed property tax exemption. The tax exemption shall not be approved by the governing body until the county board of commissioners has presented its written comment on the proposal to the governing body, or 30 days has passed from the date of the transmittal by the governing body to the board of the information on the fiscal impact, whichever occurs first.

The exemptions granted by this subdivision shall be subject to the limits contained in the other subdivisions of this section, section 272.025, or section 273.13, subdivisions 17, 17b, 17c, or 17d.

(16) Real and personal property owned and operated by a private, nonprofit corporation exempt from federal income taxation pursuant to United States Code, title 26, section 501(c)(3), primarily used in the generation and distribution of hot water for heating buildings and structures.

Sec. 5. Minnesota Statutes 1984, section 273.123, subdivision 5, is amended to read:

Subd. 5. [COMPUTATION OF CREDITS.] The amounts of any (HOMESTEAD, AGRICULTURAL, OR SIMILAR) credits or tax relief which reduce the gross tax shall be computed upon the reassessed value determined under subdivision 2. *Payment shall be made pursuant to section 273.13, subdivision 15a.* For purposes of the property tax refund, property taxes payable, as defined in section 290A.03, subdivision 13, and net property taxes payable, as defined in section 290A.04, subdivision 2d, shall be computed upon the reassessed value determined under subdivision 2.

Sec. 6. Minnesota Statutes 1984, section 273.13, subdivision 4, is amended to read:

Subd. 4. [CLASS 3.] (a) Tools, implements and machinery of an electric generating, transmission or distribution system or a pipeline system transporting or distributing water, gas, *crude oil*, or petroleum products or mains and pipes used in

the distribution of steam or hot or chilled water for heating or cooling buildings, which are fixtures, all agricultural land, except as provided by classes 1, 3b, 3c, shall constitute class 3 and shall be valued and assessed at 33-1/3 percent of the market value thereof, except as provided in clause (b). All buildings and structures assessed as personal property and situated upon land of the state of Minnesota or the United States government which is rural in character and devoted or adaptable to rural but not necessarily agricultural use shall be assessed based upon the use made of the building or structure. Except as provided in subdivision 5a, all real property devoted to temporary and seasonal residential occupancy for recreational purposes, and which is not devoted to commercial purposes for more than 200 days in the year preceding the year of assessment, shall be class 3 property and assessed accordingly. For this purpose, property is devoted to commercial use on a specific day if it is used, or offered for use, and a fee is charged for such use. Class 3 shall also include commercial use real property used exclusively for recreational purposes in conjunction with class 3 property devoted to temporary and seasonal residential occupancy for recreational purposes, up to a total of two acres, provided the property is not devoted to commercial recreational use for more than 200 days in the year preceding the year of assessment and is located within two miles of the class 3 property with which it is used.

(b) Agricultural land which is classified as class 3 shall be assessed at 19 percent of its market value. Real property devoted to temporary and seasonal residential occupancy for recreation purposes which is classified as class 3 shall be assessed at 21 percent of its market value.

Sec. 7. Minnesota Statutes 1984, section 273.138, subdivision 5, is amended to read:

Subd. 5. The commissioner of revenue shall calculate the aids pursuant to subdivisions 2 and 3, basing all necessary calculations on the abstracts of assessment of real property for assessment year 1972 transmitted to the commissioner of revenue pursuant to section 270.11 as equalized by the state board of equalization pursuant to sections 270.11 and 270.12, and the 1973 abstracts of tax lists transmitted by the county auditors pursuant to section 275.29. He shall (MAKE PAYMENTS) *pay* directly to the affected taxing authorities (IN TWO EQUAL PARTS ON JULY 15 AND NOVEMBER 15 OF EACH YEAR, COMMENCING IN 1974) *their total payment for the year at the time distributions are made pursuant to section 273.13, subdivision 15a.*

Sec. 8. [273.1393] [COMPUTATION OF NET PROPERTY TAXES.]

Notwithstanding any other provisions to the contrary, "net" property taxes are determined by subtracting the credits in the order listed from the gross tax:

- (1) *disaster credit as provided in section 273.123;*
- (2) *wetlands credit as provided in section 273.115;*
- (3) *native prairie credit as provided in section 273.116;*
- (4) *powerline credit as provided in section 273.42;*
- (5) *agricultural preserves credit as provided in section 473H.10;*
- (6) *enterprise zone credit as provided in section 273.1314;*
- (7) *state school agricultural credit as provided in section 124.2137;*
- (8) *state paid homestead credit as provided in section 273.13, subdivisions 6 and 7;*
- (9) *taconite homestead credit as provided in section 273.135;*
- (10) *supplemental homestead credit as provided in section 273.1391.*

The combination of all property tax credits must not exceed the gross tax amount.

Sec. 9. Minnesota Statutes 1984, section 273.33, subdivision 1, is amended to read:

Subdivision 1. The personal property of express, stage and transportation companies, and of pipeline companies engaged in the business of transporting natural gas, gasoline, *crude oil*, or other petroleum products except as otherwise provided by law, shall be listed and assessed in the county, town or district where the same is usually kept.

Sec. 10. Minnesota Statutes 1984, section 273.33, subdivision 2, is amended to read:

Subd. 2. The personal property, consisting of the pipeline system of mains, pipes and equipment attached thereto, of pipeline companies and others engaged in the operations or business of transporting natural gas, gasoline, *crude oil*, or other petroleum products by pipe lines, shall be listed with and assessed by the commissioner of revenue. This subdivision shall not apply to the assessment of the products transported through the pipe lines nor to the lines of local commercial gas companies engaged primarily in the business of distributing gas to consumers at retail nor to pipe lines used by the owner thereof to supply natural gas or other petroleum products exclusively for such owner's own consumption and not for resale to others. On or before the fif-

teenth day of November, the commissioner shall certify to the auditor of each county, the amount of such personal property assessment against each company in each district in which such property is located.

Sec. 11. Minnesota Statutes 1984, section 279.01, subdivision 1, is amended to read:

Subdivision 1. On May 16, of each year, with respect to property actually occupied and used as a homestead by the owner of the property, a penalty of three percent shall accrue and thereafter be charged upon all unpaid taxes on real estate on the current lists in the hands of the county treasurer, and a penalty of seven percent on nonhomestead property, except that this penalty shall not accrue until June 1 of each year on commercial use real property used for seasonal residential recreational purposes and classified as class 3 or 3a, and on other commercial use real property classified as class 4c, provided that over 60 percent of the gross income earned by the enterprise on the class 4c property is earned during the months of May, June, July, and August. Any property owner of such class 4c property who pays the first half of the tax due on the property after May 15 and before June 1 shall attach an affidavit to his payment attesting to compliance with the income provision of this subdivision. Thereafter, for both homestead and nonhomestead property, on the 16th day of each month, up to and including October 16 following, an additional penalty of one percent for each month shall accrue and be charged on all such unpaid taxes. When the taxes against any tract or lot exceed (\$10) \$50, one-half thereof may be paid prior to May 16 and, if so paid, no penalty shall attach; the remaining one-half shall be paid at any time prior to October 16 following, without penalty; but, if not so paid, then a penalty of four percent shall accrue thereon for homestead property and a penalty of four percent on nonhomestead property. Thereafter, for homestead property, on the 16th day of each month up to and including December 16 following, an additional penalty of two percent for each month shall accrue and be charged on all such unpaid taxes. Thereafter, for nonhomestead property, on the 16th day of each month up to and including December 16 following, an additional penalty of four percent for each month shall accrue and be charged on all such unpaid taxes. If one-half of such taxes shall not be paid prior to May 16, the same may be paid at any time prior to October 16, with accrued penalties to the date of payment added, and thereupon no penalty shall attach to the remaining one-half until October 16 following; provided, also, that the same may be paid in installments as follows: One-fourth prior to March 16; one-fourth prior to May 16; one-fourth prior to August 16; and the remaining one-fourth prior to October 16, subject to the aforesaid penalties. Where the taxes delinquent after October 16 against any tract or parcel exceed (\$40) \$100, upon resolution of the county board, they may be paid in installments of not less than 25 percent thereof, together with all accrued penalties and costs, up to the next tax judgment sale, and after such

payment, penalties, interest, and costs shall accrue only on the sum remaining unpaid. Any county treasurer who shall make out and deliver or countersign any receipt for any such taxes without including all of the foregoing penalties therein, shall be liable to the county for the amount of such penalties.

Sec. 12. Minnesota Statutes 1984, section 282.01, subdivision 6, is amended to read:

Subd. 6. [DUTIES OF COMMISSIONER OF REVENUE; ISSUANCE OF CONVEYANCE.] When any sale has been made by the county auditor under sections 282.01 to 282.13, he shall immediately certify to the commissioner of revenue such information relating to such sale, on such forms as the commissioner of revenue may prescribe as will enable the commissioner of revenue to prepare an appropriate deed if the sale is for cash, or keep his necessary records if the sale is on terms; and not later than October 31 of each year the county auditor shall submit to the commissioner of revenue a statement of all instances wherein any payment of principal, interest, or current taxes on lands held under certificate, due or to be paid during the preceding calendar years, are still outstanding at the time such certificate is made. When such statement shows that a purchaser or his assignee is in default, the commissioner of revenue may instruct the county board of the county in which the land is located to cancel said certificate of sale in the manner provided by subdivision 5, provided that upon recommendation of the county board, and where the circumstances are such that the commissioner of revenue after investigation is satisfied that the purchaser has made every effort reasonable to make payment of both the annual instalment and said taxes, and that there has been no wilful neglect on the part of the purchaser in meeting these obligations, then the commissioner of revenue may extend the time for the payment for such period as he may deem warranted, not to exceed one year. On payment in full of the purchase price, appropriate conveyance in fee, in such form as may be prescribed by the attorney general, shall be issued by the commissioner of revenue, which conveyance *must be recorded by the county* and shall have the force and effect of a patent from the state subject to easements and restrictions of record at the date of the tax judgment sale, including, but without limitation, permits for telephone, telegraph, and electric power lines either by underground cable or conduit or otherwise, sewer and water lines, highways, railroads, and pipe lines for gas, liquids, or solids in suspension.

Sec. 13. Minnesota Statutes 1984, section 282.014, is amended to read:

282.014 [COMPLETION OF SALE AND CONVEYANCE.]

Upon compliance by the purchaser with the provisions of sections 282.011 to 282.015 and with the terms and conditions

of the sale, and upon full payment for the land, plus a \$10 fee in addition to the sale price, the sale shall be complete and a conveyance of the land shall be issued to the purchaser as provided by the appropriate statutes according to the status of the land upon forfeiture.

The conveyance must be forwarded to the county recorder who shall record the conveyance before the auditor issues it to the purchaser.

Sec. 14. Minnesota Statutes 1984, section 282.301, is amended to read:

282.301 [RECEIPTS FOR PAYMENTS.]

The purchaser shall receive from the county auditor at the time of repurchase a receipt, in such form as may be prescribed by the attorney general. When the purchase price of a parcel of land shall be paid in full, the following facts shall be certified by the county auditor to the commissioner of revenue of the state of Minnesota: the description of land, the date of sale, the name of the purchaser or his assignee, and the date when the final instalment of the purchase price was paid. Upon payment in full of the purchase price, the purchaser or his assignee shall receive a quitclaim deed from the state, to be executed by the commissioner of revenue. *The deed must be sent to the county recorder for recording before it is forwarded to the purchaser.* Failure to make any payment herein required shall constitute default and upon such default and cancellation in accord with section 282.40, the right, title and interest of the purchaser or his heirs, representatives, or assigns in such parcel shall terminate.

Sec. 15. Minnesota Statutes 1984, section 282.33, subdivision 1, is amended to read:

Subdivision 1. Whenever an unrecorded deed from the state of Minnesota conveying tax-forfeited lands shall have been lost or destroyed, an application, in form approved by the attorney general, for a new deed may be made by the grantee or his successor in interest to the commissioner of revenue. If it appears to the commissioner of revenue that the facts stated in the petition are true, he shall issue a new deed to the original grantee, in form approved by the attorney general, with like effect as the original deed. *The commissioner shall send the new deed to the county recorder, who after recording the deed will forward it to the county auditor.* The application shall be accompanied by a fee of \$10, payable to the commissioner of revenue, which shall be deposited with the state treasurer and credited to the general fund.

Sec. 16. Minnesota Statutes 1984, section 282.36, is amended to read:

282.36 [FEES PAYABLE TO REPURCHASER.]

Any person repurchasing land after forfeiture to the state for nonpayment of taxes under the provisions of a repurchase law shall at the time the certificate of repurchase is issued *and recorded* by the county auditor or before receiving quit claim deed pursuant thereto, pay to the county treasurer a fee of \$3. Fees so collected during any calendar year shall be credited to a special fund and, upon a warrant issued by the county auditor on or before March 1 of the year following, shall be remitted to the state treasurer and credited to the general fund. The commissioner of revenue shall, on or before February 1 in each year, certify to the state treasurer the number of deeds issued during the preceding calendar year to which these fees apply, showing by counties the number of deeds so issued and the total fees due therefor. This section shall not apply to repurchases made under any law enacted prior to January 1, 1945.

Sec. 17. Minnesota Statutes 1984, section 287.25, is amended to read:

287.25 [PAYMENT OF TAX; STAMPS.]

The county board shall determine the method for collection of the tax imposed by section 287.21:

(1) The tax imposed by section 287.21 (SHALL) *may* be paid by the affixing of a documentary stamp or stamps in the amount of the tax to the document or instrument with respect to which the tax is paid, provided that the commissioner of revenue may, in exceptional cases, permit the payment of the tax without the affixing of the documentary stamps and in such cases shall, upon receipt of the tax, endorse his receipt for such tax upon the face of the document or instrument. In such case the commissioner of revenue shall deposit the amount received in payment of the tax with the state treasurer to the credit of the general fund; or

(2) *The tax imposed by section 287.21 may be paid in the manner prescribed by section 287.08 relating to payment of mortgage registration tax.*

Sec. 18. Minnesota Statutes 1984, section 294.22, is amended to read:

294.22 [GROSS EARNINGS TAX; COMPUTATION.]

Every company owning or operating any taconite railroad shall pay annually into the state treasury a sum of money equal to five percent of the gross earnings derived from the operation of such taconite railway within the state. The gross earnings of such a taconite railroad company from the transportation of

taconite concentrates from the Mesabi Range to ports on Lake Superior, for all purposes hereof, shall be a sum of money equal to the amount which would be charged under established tariffs of common carriers for the transportation of an equal tonnage of iron ore or *taconite concentrates, whichever is shipped* from Mesabi Range points to ports at the head of Lake Superior, including the established charges for loading such ore on boats. For all purposes of chapter 298 the amount of the gross earnings as so calculated shall be treated as the cost of transportation of such concentrates or *iron ore* between such points. If such a taconite railroad company transports coal or any other commodity, except taconite concentrates, its gross earnings shall include an amount equal to the established tariffs of common carriers for the transportation of the same quantities of similar commodities for corresponding distances, not, however, including any such charges for any such commodities used or intended to be used in the construction, operation or maintenance of such railroad.

Sec. 19. Minnesota Statutes 1984, section 297.03, subdivision 10, is amended to read:

Subd. 10. [DISTRIBUTION OF FREE SAMPLE PACKAGES.] The commissioner may authorize distribution in Minnesota of free packages of cigarettes without affixing stamps to said packages by the following persons provided that monthly reports and payment of a tax at the same rates prescribed by section 297.02, subdivision 1, shall be made directly to the commissioner under the terms provided for by the commissioner:

(1) Any manufacturer, providing such packages contain not more than (20) 25 cigarettes each;

(2) Any person engaged as a common carrier in the transportation of persons, who purchases packages of cigarettes from a manufacturer for distribution without charge, provided that no such package shall contain more than (20) 25 cigarettes.

All packages distributed pursuant to this section shall be marked "Complimentary—Not For Sale." The commissioner shall promulgate rules providing for the procedures to be complied with by any person distributing free sample packages.

Sec. 20. Minnesota Statutes 1984, section 298.02, subdivision 1, is amended to read:

Subdivision 1. [CREDIT.] For the purpose of increasing employment and the utilization of low-grade, underground, and high labor cost ores any taxpayer on whom a tax is imposed by reason of the provisions of section 298.01, subdivisions 1 and 2, shall be allowed a credit against the occupation tax as computed in that section because of the mining or production of ore from any mine, in an amount calculated as follows:

(a) In the case of underground mines or that tonnage of merchantable ore produced in open pit mines in the year in question which tonnage has resulted from beneficiation at an ore beneficiation plant within the state (BY JIGGING, HEAVY MEDIA, SPIRAL SEPARATION, CYCLONE PROCESS, ROASTING, DRYING BY ARTIFICIAL HEAT, SINTERING, MAGNETIC SEPARATION, FLOTATION, AGGLOMERATION OR ANY PROCESS REQUIRING FINE GRINDING OR ANY OTHER IRON ORES MINED AFTER DECEMBER 31, 1984), ten percent of that part of the cost of labor employed by the mine or in the beneficiation of all ore mined or produced in the calendar year in excess of 70 cents and not in excess of 90 cents per ton of the merchantable ore produced during the year at that mine, and 15 percent of that part of the cost of such labor in excess of 90 cents per ton; (IN THE CASE OF ANY OTHER TONNAGE PRODUCED AT SAID MINE OR IN THE CASE OF OTHER MINES, TEN PERCENT OF THE AMOUNT BY WHICH THE AVERAGE COST PER TON OF LABOR EMPLOYED AT THE MINE, OR IN THE BENEFICIATION OF THE ORE AT OR NEAR THE MINE, EXCEEDS 80 CENTS, BUT DOES NOT EXCEED \$1.05, PLUS 15 PERCENT OF THE AMOUNT BY WHICH THE AVERAGE LABOR COST PER TON EXCEEDS \$1.05, MULTIPLIED BY THE NUMBER OF TONS OF ORE PRODUCED AT THE MINE, NOT EXCEEDING 100,000 TONS, BUT THIS 100,000 TONS OR LESS SHALL BE FIRST REDUCED BY ANY TONNAGE DESCRIBED IN THE FIRST PART OF THIS SUBPARAGRAPH;) provided, however, that in no event shall the credit allowed hereunder be in excess of three-fourths of eleven percent, as applied to underground and taconite, semi-taconite or other iron ore operations, and six-tenths of eleven percent as applied to all other operations, of the valuation of the ore used in computing the tax under the provisions of section 298.01. The term "merchantable ore produced" as used herein means ores which as mined or as mined and beneficiated, are ready for shipment as a merchantable product.

(b) The aggregate amount of all credits allowed under this subdivision to all mines shall not exceed six and two-tenths percent of the aggregate amount of occupation taxes imposed under section 298.01, subdivision 1, assessed against all mines in the state for said year prior to the deduction of such credits, provided, that after December 31, 1954, labor credits to underground mines or taconite or semi-taconite operations shall not be subject to such percentage limitation and that, after December 31, 1984, labor credits to other iron ore operations shall not be subject to the percentage limitation and both the occupation taxes of such underground mines or taconite, semi-taconite or other iron ore operations and the labor credits allowed thereto, shall be excluded in calculating such percentage limitations. At the time of his final determination of occupation tax pursuant to section 298.09, subdivision 3, the commissioner shall reduce the credit otherwise allowable to each mine hereunder by such

equal percentage as will bring the total within such limitation. If an equal percentage reduction is made in the labor credits of mines pursuant to this subparagraph at the time of certification to the commissioner of revenue as set forth in section 298.10, the same percentage will be used where changes are made pursuant to section 298.09, subdivision 4, subsequent to June 1. Also if no reduction is made at the time of certification by the commissioner of revenue on or before June 1, pursuant to this subdivision and section 298.10, no reduction will be made subsequent to June 1, due to changes made pursuant to section 298.09, subdivision 4. This subparagraph shall apply to occupation tax calculations in calendar years subsequent to December 31, 1952.

Sec. 21. Minnesota Statutes 1984, section 298.225, is amended to read:

298.225 [APPROPRIATION.]

For distribution of taconite production tax in 1985 and thereafter with respect to production in 1984 and thereafter, the recipients of the taconite production tax as provided in section 298.28, subdivision 1, clauses (1) to (4) and (5)(b), (7), and (8)(a), shall receive distributions equal to the amount distributed to them pursuant to sections 298.225 and 298.28, subdivision 1, with respect to 1983 production if the production for the year prior to the distribution year is no less than 42,000,000 taxable tons. If the production is less than 42,000,000 taxable tons, the amount of the distributions shall be reduced (BY) *proportionately at the rate of two percent for each 1,000,000 tons, or part of 1,000,000 tons by which the production is less than 42,000,000 tons.* There is hereby appropriated to the commissioner of revenue from the taconite environmental protection fund and the corpus of the northeast Minnesota economic protection trust fund in equal proportions the amount needed to make the above payments.

If a taconite producer ceases beneficiation operations permanently and is required by a special law to make bond payments for a school district, the northeast Minnesota economic protection trust fund shall assume the payments of the taconite producer if the producer ceases to make the needed payments. There is hereby appropriated from the corpus of the northeast Minnesota economic protection trust fund to the commissioner of revenue the amounts needed to make these school bond payments.

Sec. 22. Minnesota Statutes 1984, section 473H.10, subdivision 3, is amended to read:

Subd. 3. (a) After the assessor has determined the market value of all land valued according to subdivision 2, he shall compute the assessed value of those properties by applying the appropriate classification percentages. When the county auditor

computes the rate of tax pursuant to section 275.08, he shall include the assessed value of land as provided in this clause.

(b) The county auditor shall compute the tax on lands valued according to subdivision 2 and nonresidential buildings by multiplying the assessed value times the total rate of tax for all purposes as provided in clause (a).

(c) The county auditor shall then compute the maximum ad valorem property tax on lands valued according to subdivision 2 and nonresidential buildings by multiplying the assessed value times 105 percent of the previous year's statewide average mill rate levied on property located within townships for all purposes.

(d) The tax due and payable by the owner of preserve land valued according to subdivision 2 and nonresidential buildings will be the amount determined in clause (b) or (c), whichever is less. If the gross tax in clause (c) is less than the gross tax in clause (b), the state shall reimburse the taxing jurisdictions for the amount of difference. Residential buildings shall continue to be valued and classified according to the provisions of sections 273.11 and 273.13, as they would be in the absence of this section, and the tax on those buildings shall not be subject to the limitation contained in this clause.

The county auditor shall certify to the commissioner of revenue on or before June 1 the total amount of tax lost to the taxing jurisdictions located within his county as a result of this subdivision. Payments shall be made by the state (ANNUALLY ON OR BEFORE JULY 15) *as provided in section 273.13, subdivision 15a* to each of the affected taxing jurisdictions. There is annually appropriated from the general fund in the state treasury to the commissioner of revenue an amount sufficient to make the reimbursement provided in this subdivision.

Sec. 23. Minnesota Statutes 1984, section 508.47, subdivision 4, is amended to read:

Subd. 4. [SURVEY; REQUISITES; FILING; COPIES.] The registered land survey shall correctly show the legal description of the parcel of unplatted land represented by said registered land survey and the outside measurements of the parcel of unplatted land and of all tracts delineated therein, the direction of all lines of said tracts to be shown by angles or bearings or other relationship to the outside lines of said registered land survey, and the surveyor shall place stakes in the ground at appropriate corners, and all tracts shall be lettered consecutively beginning with the letter "A". None of said tracts or parts thereof may be dedicated to the public by said registered land survey. Except in counties having microfilming capabilities, a reproduction copy of the registered land survey shall be delivered to the county auditor. The registered land survey shall be on paper, mounted on cloth, shall be a black on white drawing, the scale

to be not smaller than one inch equals 200 feet, and shall be certified to be a correct representation of said parcel of unplatted land by a registered surveyor. The mounted drawing shall be exactly 17 inches by 14 inches and not less than 2 1/2 inches of the 14 inches shall be blank for binding purposes, and such survey shall be filed in triplicate with the registrar of titles upon the payment of a fee of \$15. Before filing, however, any such survey shall be approved in the manner required for the approval of subdivision plats, which approval shall be endorsed thereon or attached thereto.

At the time of filing, a certificate from the treasurer that current taxes have been paid must be presented before the survey is accepted by the registrar for filing.

In counties having microfilming capabilities, the survey may be prepared on sheets of suitable mylar or on linen tracing cloth by photographic process or on material of equal quality. Notwithstanding any provisions of subdivision 5 to the contrary, no other copies of the survey need be filed.

The registrar shall furnish to any person a copy of said registered land survey, duly certified by him, for a fee of \$7.50, which shall be admissible in evidence.

Sec. 24. Minnesota Statutes 1984, section 508.71, subdivision 4, is amended to read:

Subd. 4. [REGISTRATION OF MEMORIALS.] Without order of court or directive of the examiner, the registrar of titles may receive and register as memorials upon any certificate of title to which they pertain, the following instruments: receipt or certificate of county treasurer showing redemption from any tax sale or payment of any tax described in a certificate of title, a state deed issued to purchaser of tax forfeited land, a certified copy of a marriage certificate showing the subsequent marriage of any owner shown by a certificate of title to be unmarried, a certified copy of a final decree of divorce or dissolution of a marriage entered in the state of Minnesota, or in any state, territory or possession of the United States, or the District of Columbia to establish the dissolution of a marriage relationship of any party shown on the certificate to be married, and a certified copy of the death certificate of party listed in any certificate of title as being the spouse of the registered owner when accompanied by an affidavit satisfactory to the registrar identifying the decedent with the spouse. In all subsequent dealings with the land covered by the certificates, the registrar shall give full faith to these memorials.

Sec. 25. Minnesota Statutes 1984, section 559.21, is amended by adding a subdivision to read:

Subd. 8. [APPLICATION.] *The provisions of this section relating to payment of mortgage registration tax as a require-*

ment of the cancellation process only apply to those contracts for deed subject to payment of mortgage registration tax at time of recording.

Sec. 26. [REPEALER.]

(a) Minnesota Statutes 1984, section 297.02, subdivision 2, is repealed.

(b) Minnesota Statutes 1984, section 477A.04, is repealed.

Sec. 27. [EFFECTIVE DATE.]

Sections 1 to 11 and 26, paragraph (b), are effective for taxes levied in 1985 and thereafter, payable in 1986 and thereafter. Sections 12 to 25, and 26, paragraph (a), are effective the day after final enactment."

Delete the title and insert:

"A bill for an act relating to taxation; modifying certain procedures relating to taxpayer appeals; requiring apportionment of levies in specific situations; clarifying the calculation of property tax credits; clarifying the tax treatment of certain pipelines; modifying provisions relating to the payment of property taxes; allowing for sales of sample packs of cigarettes containing 25 cigarettes; providing for the recording of state deeds; modifying the deed stamp tax procedure; clarifying the computation of gross earnings tax for taconite railroads; clarifying labor credit provisions; clarifying process of taconite aid guarantee phase out; requiring payment of current taxes before conveyance of registered land; allowing for memorializing of state deeds on certificates of title; clarifying cancellation of contract for deed provisions; amending Minnesota Statutes 1984, sections 270.076, subdivision 2; 270.11, subdivision 7; 270.12, subdivision 3; 272.02, subdivision 1; 273.123, subdivision 5; 273.13, subdivision 4; 273.138, subdivision 5; 273.33, subdivisions 1 and 2; 279.01, subdivision 1; 282.01, subdivision 6; 282.014; 282.301; 282.33, subdivision 1; 282.36; 287.25; 294.22; 297.03, subdivision 10; 298.02, subdivision 1; 298.225; 473H.10, subdivision 3; 508.47, subdivision 4; 508.71, subdivision 4; 559.21, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 273; repealing Minnesota Statutes 1984, sections 297.02, subdivision 2; and 477A.04."

With the recommendation that when so amended the bill pass.

The report was adopted.

Knickerbocker from the Committee on Governmental Operations to which was referred:

H. F. No. 581, A bill for an act relating to agriculture; establishing a task force; implementing a program of farm financial recordkeeping; appropriating money.

Reported the same back with the following amendments:

Page 2, line 32, after the period insert "*The task force shall forward the public information that it collects to the department of agriculture.*"

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Appropriations.

The report was adopted.

McDonald from the Committee on Agriculture to which was referred:

H. F. No. 587, A bill for an act relating to agriculture; providing income tax incentives to landowners who sell or lease agricultural land to beginning farmers and to banks who make loans to beginning farmers; amending Minnesota Statutes 1984, sections 290.01, subdivisions 20a and 20b; 290.361, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 290.

Reported the same back with the following amendments:

Page 8, line 36, before "*Capital*" insert "*Interest earned or*"

Page 9, line 6, delete "*and to section 5*"

Page 10, after line 12, insert:

"Subd. 2. [EXCLUSION FOR INTEREST ON SALE WITH SELLER-SPONSORED LOAN.] There is allowed as a subtraction from the federal adjusted gross income of any landowner interest income earned on the sale of at least 80 acres of agricultural land with a seller-sponsored loan to a beginning farmer for agricultural purposes.

This subdivision applies only if the following conditions are met:

(1) the loan will be completely amortized in 20 years or less with even payments of interest and principal and no balloon payment at the end, or the loan is amortized for 20 years with a balloon payment in ten years or less;

(2) *the loan has an annual imputed interest rate equal to the minimum rate allowed by the Internal Revenue Service for transactions between nonrelated parties to meet installment sales requirements; and*

(3) *the interest is not excludable under section 41.58, subdivision 3."*

Page 10, line 26, delete "five" and insert "three"

Page 10, line 27, delete everything before the period

Renumber the subdivisions in sequence

Page 12, line 6, delete "five-year" and insert "three-year"

Page 12, line 9, delete "2" and insert "3"

Pages 12 and 13, delete sections 4 and 5

Renumber the sections in sequence

Page 14, line 2, delete "5" and insert "3"

Amend the title as follows:

Page 1, line 4, delete "and to banks"

Page 1, line 5, delete everything before the semicolon

Page 1, line 6, delete "sections" and insert "section"

Page 1, line 7, delete "290.361, subdivision 2;"

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Taxes.

The report was adopted.

Blatz from the Committee on Crime and Family Law to which was referred:

H. F. No. 657, A bill for an act relating to dissemination of data; prohibiting public access to data identifying certain youthful victims of criminal sexual behavior; amending Minnesota Statutes 1984, section 609.3471.

Reported the same back with the recommendation that the bill pass and be placed on the Consent Calendar.

The report was adopted.

Forsythe from the Committee on Appropriations to which was referred:

S. F. No. 412, A bill for an act relating to housing; raising the limit on the total amount of Minnesota housing finance agency bonds and notes outstanding; amending Minnesota Statutes 1984, section 462A.22, subdivision 1.

Reported the same back with the recommendation that the bill pass.

The report was adopted.

SECOND READING OF HOUSE BILLS

H. F. Nos. 157, 183, 185, 221, 274, 284, 335, 345, 374, 381, 415, 440, 454, 509, 556 and 657 were read for the second time.

SECOND READING OF SENATE BILLS

S. F. No. 42 was read for the second time.

SUSPENSION OF RULES

Pursuant to Article IV, Section 19, of the Constitution of the state of Minnesota, Fjoslien moved that the rule therein be suspended and an urgency be declared so that S. F. No. 42 be given its third reading and be placed upon its final passage. The motion prevailed.

Fjoslien moved that the rules of the House be so far suspended that S. F. No. 42 be given its third reading and be placed upon its final passage. The motion prevailed.

S. F. No. 42 was reported to the House.

Fjoslien moved to amend S. F. No. 42, as follows:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1984, 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) *are* 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. Minnesota Statutes 1984, section 297A.02, subdivision 2, is amended to read:

Subd. 2. [MACHINERY AND EQUIPMENT.] Notwithstanding the provisions of subdivision 1, the rate of the excise tax imposed upon sales of (FARM MACHINERY,) special tooling (,) and capital equipment is four percent *and upon sales of farm machinery is three percent.*

Sec. 3. Minnesota Statutes 1984, section 297A.14, is amended to read:

297A.14 [USING, STORING OR CONSUMING TANGIBLE PERSONAL PROPERTY; ADMISSIONS; UTILITIES.]

For the privilege of using, storing or consuming in Minnesota tangible personal property, tickets or admissions to places of amusement and athletic events, electricity, gas, and local exchange telephone service purchased for use, storage or consumption in this state, a use tax is imposed on every person in this state at the rate of six percent of the sales price of sales at retail unless the tax imposed by section 297A.02 was paid on the sales price. Notwithstanding the provisions of the preceding sentence, the rate of the use tax imposed upon the sales price of sales of (FARM MACHINERY,) special tooling (,) and capital equipment is four percent *and upon the sales price of sales of farm machinery is three percent.*

A motor vehicle subject to tax under this section shall be taxed at its fair market value at the time of transport into

Minnesota if the motor vehicle was acquired more than three months prior to its transport into this state.

Sec. 4. [EFFECTIVE DATE.]

Sections 1 to 3 are effective for sales occurring after March 31, 1985."

Delete the title and insert:

"A bill for an act relating to taxation; sales and use; reducing the rate of tax on farm machinery; including repair and replacement parts in the definition of farm machinery; amending Minnesota Statutes 1984, sections 297A.01, subdivision 15; 297A.02, subdivision 2; and 297A.14."

The motion prevailed and the amendment was adopted.

Brinkman moved to amend S. F. No. 42, as amended by the Fjoslien amendment, as follows:

Page 1, line 11, strike "new or used"

Page 2, line 5, reinstate the stricken language and delete the new language

Page 2, line 18, after "of" insert "*new*" and reinstate the old language

Page 2, lines 19 and 20, delete the new language

Page 2, line 34, after "of" insert "*new*" and reinstate the old language

Page 2, lines 35 and 36, delete the new language

Page 3, after line 4, insert:

"Sec. 4. Minnesota Statutes 1984, 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, except when sold for fundraising purposes by a nonprofit organization that provides educational and social activities for young people primarily aged 18 and under;

(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 prop-

erty 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, pocket-books, 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 airlight 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 receipt 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, hot water, 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 of a manufactured home, as defined in section 327.31, subdivision 6, to be used by the purchaser for residential purposes, unless the sale is the first retail sale of the manufactured home in this state;

(bb) The gross receipts from the sale of equipment used for processing solid or hazardous waste at a resource recovery facility, as defined in section 115A.03, subdivision 28;

(cc) *The gross receipts from the sale of and storage, use, or consumption of used farm machinery and repair and replacement parts for farm machinery."*

Page 3, line 6, delete "3" and insert "4"

Renumber the remaining section

A roll call was requested and properly seconded.

POINT OF ORDER

Halberg raised a point of order pursuant to rule 3.10 that the Brinkman amendment was not in order. The Speaker ruled the point of order not well taken and the Brinkman amendment in order.

CALL OF THE HOUSE

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

Anderson, G.	Elioff	Krueger	Ozment	Solberg
Anderson, R.	Erickson	Kvam	Pauly	Sparby
Backlund	Fjoslien	Levi	Peterson	Stanius
Battaglia	Forsythe	Lieder	Piepho	Staten
Beard	Frederick	Long	Piper	Sviggum
Becklin	Frederickson	Marsh	Poppenhagen	Thiede
Begich	Frerichs	McDonald	Price	Thorson
Bennett	Greenfield	McEachern	Quinn	Tjornhom
Bishop	Gruenes	McKasy	Quist	Tomlinson
Blatz	Gutknecht	McLaughlin	Redalen	Tompkins
Boerboom	Halberg	McPherson	Rees	Tunheim
Boo	Hartinger	Metzen	Rest	Uphus
Brinkman	Hartle	Miller	Richter	Valan
Brown	Haukoos	Minne	Rodosovich	Valento
Burger	Heap	Murphy	Rose	Vanasek
Carlson, D.	Himle	Nelson, D.	Sarna	Voss
Carlson, J.	Jacobs	Nelson, K.	Schafer	Waltman
Carlson, L.	Jaros	Neuenschwander	Schoenfeld	Welle
Clark	Jennings, L.	Norton	Schreiber	Wenzel
Clausnitzer	Johnson	O'Connor	Seaberg	Wynia
Cohen	Kalis	Ogren	Segal	Zaffke
Dempsey	Kiffmeyer	Olsen, S.	Shaver	Spk. Jennings, D.
DenOuden	Knickerbocker	Omann	Sherman	
Dimler	Knuth	Onnen	Simoneau	
Dyke	Kostohryz	Otis	Skoglund	

Levi 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 Brinkman amendment to S. F. No. 42, as amended by the Fjoslien amendment, and the roll was called.

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

There were 66 yeas and 57 nays as follows:

Those who voted in the affirmative were:

Anderson, G.	Jacobs	Murphy	Price	Staten
Battaglia	Jaros	Nelson, D.	Quinn	Sviggum
Beard	Jennings, L.	Nelson, K.	Rest	Tomlinson
Begich	Kalis	Neuenschwander	Riveness	Tunheim
Brinkman	Knuth	Norton	Rodosovich	Uphus
Brown	Kostohryz	O'Connor	Sarna	Vanasek
Carlson, L.	Krueger	Ogren	Schafer	Voss
Clark	Lieder	Olson, E.	Scheid	Welle
Cohen	Long	Osthoft	Schoenfeld	Wenzel
DenOuden	McEachern	Otis	Segal	Wynia
Dyke	McLaughlin	Ozment	Simoneau	
Elioff	Metzen	Pappas	Skoglund	
Ellingson	Minne	Peterson	Solberg	
Greenfield	Munger	Piper	Sparby	

Those who voted in the negative were :

Backlund	Erickson	Himle	Omann	Stanius
Becklin	Fjoslien	Johnson	Onnen	Thiede
Bennett	Forsythe	Kiffmeyer	Pauly	Thorson
Blatz	Frederick	Knickerbocker	Piepho	Tjornhom
Boerboom	Frederickson	Kvam	Poppenhagen	Tompkins
Boo	Frerichs	Levi	Redalen	Valan
Burger	Gruenes	Marsh	Rees	Valento
Carlson, D.	Gutknecht	McDonald	Richter	Zaffke
Carlson, J.	Halberg	McKasy	Rose	Spk. Jennings, D.
Clausnitzer	Hartinger	McPherson	Schreiber	
Dempsey	Hartle	Miller	Shaver	
Dimler	Haukoos	Olsen, S.	Sherman	

The motion prevailed and the amendment was adopted.

S. F. No. 42, A bill for an act relating to taxation; sales; including replacement parts in the definition of farm machinery; amending Minnesota Statutes 1984, section 297A.01, subdivision 15.

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.

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

There were 113 yeas and 11 nays as follows :

Those who voted in the affirmative were :

Anderson, G.	Erickson	Kvam	Ozment	Solberg
Backlund	Fjoslien	Levi	Pappas	Sparby
Battaglia	Frederick	Lieder	Peterson	Stanius
Beard	Frederickson	Long	Piepho	Staten
Becklin	Frerichs	Marsh	Piper	Sviggum
Begich	Greenfield	McDonald	Poppenhagen	Thiede
Bennett	Gruenes	McEachern	Price	Thorson
Bishop	Gutknecht	McKasy	Quinn	Tomlinson
Boerboom	Halberg	McLaughlin	Quist	Tompkins
Boo	Hartinger	McPherson	Redalen	Tunheim
Brinkman	Hartle	Miller	Rees	Uphus
Brown	Haukoos	Minne	Rest	Valan
Burger	Heap	Munger	Richter	Valento
Carlson, D.	Himle	Murphy	Riveness	Vanasek
Carlson, J.	Jacobs	Nelson, D.	Rodosovich	Voas
Carlson, L.	Jaros	Nelson, K.	Rose	Waltman
Clark	Jennings, L.	Neuenschwander	Schafer	Welle
Cohen	Johnson	Norton	Scheid	Wenzel
Dempsey	Kahn	Ogren	Schoenfeld	Wynia
DenOuden	Kalis	Olson, E.	Schreiber	Zaffke
Dyke	Kiffmeyer	Omann	Seaberg	Spk. Jennings, D.
Elioff	Knuth	Onnen	Segal	
Ellingson	Krueger	Otis	Sherman	

Those who voted in the negative were:

Blatz
Clausnitzer
Dimler

Knickerbocker
Kostohryz

Olsen, S.
Osthoff

Pauly
Shaver

Skoglund
Tjornhom

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

SECOND READING OF SENATE BILLS, Continued

S. F. No. 412 was read for the second time.

INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

Blatz, Vellenga and Clausnitzer introduced:

H. F. No. 848, A bill for an act relating to children and families; providing judicial procedures to protect the welfare of alleged child abuse victims; requiring juvenile and criminal courts to give docket priority to child abuse cases; providing certain protections for parents in juvenile court proceedings; clarifying the scope and effect of juvenile court orders; changing the crimes of "intrafamilial sexual abuse" to "criminal sexual abuse" and limiting the discretion of courts to stay sentences for these crimes; requiring that investigative interviews with child abuse victims be tape-recorded; amending Minnesota Statutes 1984, sections 260.011, subdivision 2; 260.133, subdivision 2; 260.135, subdivision 1; 260.155, by adding a subdivision; 260.156; 260.172, subdivision 4, and by adding a subdivision; 260.191, subdivision 1, and by adding subdivisions; 260.301; 595.02, subdivision 3; 609.364 to 609.3644; and 630.36; proposing coding for new law in Minnesota Statutes, chapter 626.

The bill was read for the first time and referred to the Committee on Crime and Family Law.

Schreiber; Carlson, D.; Kahn; Munger and Waltman introduced:

H. F. No. 849, A bill for an act relating to water pollution control; establishing a state financial assistance program for the abatement of combined sewer overflow; reauthorizing the state independent grants program; appropriating money; amending Minnesota Statutes 1984, sections 116.16, subdivisions 1, 2, and 5; 116.18, subdivisions 1, 3, and by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 116; repealing Minnesota Statutes 1984, section 116.18, subdivision 2.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

Shaver and Scheid introduced:

H. F. No. 850, A bill for an act relating to elections; making changes in registration, caucuses, ballots, affidavits of candidacy and withdrawal, nominations, election certificates, and election judge qualifications; amending Minnesota Statutes 1984, sections 201.018, subdivision 2; 201.095; 201.12, subdivision 2; 201.15, subdivision 1; 202A.11, subdivision 2; 202A.16, subdivision 1; 204B.03; 204B.06, subdivision 1; 204B.07, subdivision 4; 204B.09, subdivision 1; 204B.10, by adding a subdivision; 204B.12, subdivision 3; 204B.35, subdivision 2; 204C.40, subdivision 1; 204D.11, subdivisions 3, 5, and 6; 206.71, by adding a subdivision; and 208.03; repealing Minnesota Statutes 1984, section 204B.19, subdivision 3.

The bill was read for the first time and referred to the Committee on General Legislation and Veterans Affairs.

Marsh, Blatz, Ozment, Rest and Pappas introduced:

H. F. No. 851, A bill for an act relating to crimes; providing that an individual asked to supply data relating to maltreatment of minors or vulnerable adults need not be given an informational warning; prohibiting diversion of corporate property; authorizing criminal trials with petit juries composed of six persons for gross misdemeanor prosecutions; changing the crimes of "intrafamilial sexual abuse" to the crimes of "criminal sexual abuse"; eliminating the requirement that a defendant receive a copy of a confession that is to be introduced into evidence; amending Minnesota Statutes 1984, sections 13.04, subdivision 2; 593.01, subdivision 2; 609.364; 609.3641, subdivision 1; 609.3642, subdivision 1; 609.3643, subdivision 1; 609.3644, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 302A; repealing Minnesota Statutes 1984, section 611.033.

The bill was read for the first time and referred to the Committee on Crime and Family Law.

Boo, Jaros and Munger introduced:

H. F. No. 852, A bill for an act relating to state lands; directing conveyance of an easement over certain state lands to the city of Duluth.

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

Valan; Carlson, D.; Olsen, S.; Cohen and Piepho introduced:

H. F. No. 853, A bill for an act relating to flood plain management; establishing a state flood hazard mitigation program to mitigate the damaging effects of floods on public and private properties; authorizing grants-in-aid to local government units for flood damage mitigation; appropriating money; amending Minnesota Statutes 1984, section 104.02; proposing coding for new law in Minnesota Statutes, chapter 104.

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

Dimler introduced:

H. F. No. 854, A bill for an act relating to taxation; property; clarifying the definition of real property; amending Minnesota Statutes 1984, section 272.03, subdivision 1.

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

Olsen, S., and Segal introduced:

H. F. No. 855, A bill for an act relating to retirement; St. Louis Park firefighters service, disability, and survivor benefits; amending Laws 1969, chapter 576, sections 3, subdivision 1; and 4, subdivision 1.

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

Pauly, Quinn, Waltman, Otis and Kvam introduced:

H. F. No. 856, A bill for an act relating to taxation; imposing an additional tax on certain interest earned on state or municipal obligations; providing an income tax credit for certain interest paid on those obligations; amending Minnesota Statutes 1984, section 290.06, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 290.

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

Olsen, S.; Voss; Brinkman; Blatz and Sviggum introduced:

H. F. No. 857, A bill for an act relating to insurance; authorizing the receiver of an insolvent insurer to accelerate the distribution of available assets in payment of claims against the insurer; establishing priority of certain claims; providing for recoupment of assessments; amending Minnesota Statutes 1984, sections 60B.44, subdivision 4; 60B.46, by adding subdivisions; 60C.05, subdivision 1; 60C.18; and 61B.07, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Financial Institutions and Insurance.

Erickson; Nelson, K.; McEachern; Levi and Olsen, S., introduced:

H. F. No. 858, A bill for an act relating to education; providing various activities to study and improve teacher education; appropriating money; amending Minnesota Statutes 1984, sections 124.19, subdivision 1; 125.05, subdivision 1; and 125.185, subdivision 4; proposing coding for new law in Minnesota Statutes, chapter 136A.

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

Zaffke, Valento, Shaver, Pauly and Brinkman introduced:

H. F. No. 859, A bill for an act relating to taxation; changing applicability of the gravel tax and making imposition of the tax permissive; amending Minnesota Statutes 1984, section 298.75, subdivisions 1 and 2.

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

Pauly, Long, Rose, Kahn and Backlund introduced:

H. F. No. 860, A bill for an act relating to eminent domain; providing for court determination of and payment for pollution of property subject to condemnation; proposing coding for new law in Minnesota Statutes, chapter 117.

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

Redalen introduced:

H. F. No. 861, A bill for an act relating to independent school district No. 233, Preston-Fountain; authorizing a permanent fund transfer.

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

Clark, Staten, Jaros and McLaughlin introduced:

H. F. No. 862, A bill for an act relating to post-secondary education; reducing the tuition component required to pay in part for instruction costs; amending Minnesota Statutes 1984, section 135A.03, subdivision 1.

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

Schreiber; Anderson, G.; Frerichs; Ozment and Knuth introduced:

H. F. No. 863, A bill for an act relating to transportation; specifying the method of payment for landscape contractors providing goods or services to the department of transportation; amending Minnesota Statutes 1984, section 161.32, by adding a subdivision.

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

Boo introduced:

H. F. No. 864, A bill for an act relating to human services; establishing a demonstration project for state-operated, community-based services for mentally retarded persons; creating a limited exception to the moratorium on new intermediate care facilities for the mentally retarded; requiring the commissioner of human services to establish rules concerning staff ratios; setting priorities for services under federal waivers; expanding the responsibility of the legislative commission on long-term health care; amending Minnesota Statutes 1984, sections 252.291, subdivisions 2 and 3; 256B.092, subdivision 5; Laws 1983, chapter 199, section 17, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 252.

The bill was read for the first time and referred to the Committee on Health and Human Services.

Kelly introduced:

H. F. No. 865, A bill for an act relating to courts; authorizing conciliation courts to hear civil disputes involving up to \$5,000; amending Minnesota Statutes 1984, sections 487.30, subdivision 1; 488A.12, subdivision 3; 488A.14, subdivision 6; 488A.29, subdivision 3; and 488A.31, subdivision 6.

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

Cohen introduced:

H. F. No. 866, A bill for an act relating to marriage dissolution; allowing separate summary judgment on the issue of dissolution; excluding mediators' information except on consent of the parties; providing for deposing of investigators; allowing a partial distribution of marital assets during the pendency of a dissolution proceeding; amending Minnesota Statutes 1984, sections 518.13, by adding a subdivision; 518.167, subdivision 3; and 518.58.

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

Stanisus, Becklin and Valento introduced:

H. F. No. 867, A bill for an act relating to the legislature; reducing its size; amending Minnesota Statutes 1984, sections 2.021 and 2.031, subdivision 1.

The bill was read for the first time and referred to the Committee on General Legislation and Veterans Affairs.

Staten, Osthoff and Clark introduced:

H. F. No. 868, A bill for an act relating to state purchasing; establishing a certification process for set-aside programming in the department of human rights; establishing a small business procurement advisory council; appropriating money; providing penalties; amending Minnesota Statutes 1984, sections 16B.19, subdivision 6, and by adding a subdivision; 16B.22; 137.31, subdivision 3; 161.321, subdivisions 3 and 6; 473.129, subdivision 3 and by adding a subdivision; 473.406, subdivision 6; 473.523, by adding a subdivision; and 473.652, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 363; repealing Minnesota Statutes 1984, sections 16B.20 and 16B.21.

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

Erickson, Levi, Segal, Boo and Quinn introduced :

H. F. No. 869, A bill for an act relating to education ; providing for a study of the gifted and talented education program ; establishing an advisory council ; appropriating money ; proposing coding for new law in Minnesota Statutes, chapter 124.

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

Riveness, Seaberg, Pappas and Boo introduced :

H. F. No. 870, A bill for an act relating to courts ; providing that tax court judges must be learned in the law ; permitting retired tax court judges and district court judges to serve on the tax court ; amending Minnesota Statutes 1984, section 271.01, subdivision 1, and by adding a subdivision.

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

Riveness, Brandl, Schreiber, Tomlinson and Redalen introduced :

H. F. No. 871, A bill for an act relating to state government ; clarifying laws governing fiscal notes on bills affecting state revenues ; amending Minnesota Statutes 1984, section 3.98, subdivisions 1, 2, and 3.

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

Carlson, D., and Battaglia introduced :

H. F. No. 872, A bill for an act relating to crimes ; providing for peace officer training of persons who are employed by the commissioner of natural resources and who possess peace officer authority for the purpose of enforcing game and fish laws ; providing for the financing of such training through surcharges on penalties imposed for violations of certain laws ; amending Minnesota Statutes 1984, section 609.101.

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

Sherman, Metzen, Valan, Brinkman and Boerboom introduced:

H. F. No. 873, A bill for an act relating to financial institutions; authorizing the department of administration to provide for the use of certain motor vehicles by the department of commerce; providing for the classification and disclosure of records; modifying the definition of financial institutions to include branches and detached facilities; regulating the closing of financial institutions; providing for the deposit of securities in lieu of bonds; simplifying the recording requirements of credit union certificates or bylaw amendments; providing for certain industrial loan and thrift loan disclosures; providing for the liquidation of safe deposit companies; eliminating a certain motor vehicle finance company assessment; modifying the licensing requirements of regulated lenders; regulating changes of business locations of regulated lenders; providing for the recovery of examination and investigation costs from motor vehicle sales finance companies; increasing the time price differentials on motor vehicle sales; regulating payments in advance on retail installment contracts; and providing for the notice and publication of, and hearings on, bank applications; amending Minnesota Statutes 1984, sections 16B.54, subdivision 2; 46.041, subdivision 1; 46.042; 46.07, subdivision 2, and by adding a subdivision; 46.131, subdivision 2; 47.015, subdivision 1; 47.0151, subdivision 3; 48.13; 49.05, by adding subdivisions; 52.02, subdivision 3; 53.04, by adding a subdivision; 55.095; 56.04; 56.07; 168.705; 168.72, subdivisions 1 and 2; 168.73; and 168.74; proposing coding for new law in Minnesota Statutes, chapter 47; repealing Minnesota Statutes 1984, sections 47.20, subdivisions 11 and 12; 48.19; 48.57; and 48.58.

The bill was read for the first time and referred to the Committee on Financial Institutions and Insurance.

Sarna, Clausnitzer and O'Connor introduced:

H. F. No. 874, A bill for an act relating to commerce; requiring the payment of interest on downpayments for the purchase of goods or services; prescribing penalties; providing remedies; proposing coding for new law in Minnesota Statutes, chapter 325G.

The bill was read for the first time and referred to the Committee on Commerce and Economic Development.

Nelson, K.; Levi; Olsen, S.; Nelson, D., and McEachern introduced:

H. F. No. 875, A bill for an act relating to education; establishing an excellence in teaching and curriculum program; authorizing aid to develop plans for excellence in teaching and

curriculum; providing for aid and levy for excellence in teaching and curriculum with a portion for certain teacher contracts; eliminating summer educational improvement revenue; appropriating money; amending Minnesota Statutes 1984, sections 124.195, subdivision 9; 124A.03, subdivision 4; 124A.033, subdivisions 2, 3, and 5; and 275.125, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapters 124 and 126; repealing Minnesota Statutes 1984, sections 121.601; 124.246, subdivisions 2 and 3; 124.247, subdivision 6; 124A.03, subdivision 5; 129B.33; 129B.34; and 129B.36.

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

Olsen, S.; Munger; Rose; Carlson, D., and Neuenschwander introduced:

H. F. No. 876, A bill for an act relating to environment; creating a hazardous substance injury compensation fund; establishing a board to administer compensation; limiting compensable losses; prescribing claims procedures; allowing partial subrogation rights; providing for partial recoupment of expenditures from hazardous waste generators; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 115B.

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

Kalis, Poppenhagen and Brinkman introduced:

H. F. No. 877, A bill for an act relating to civil procedure; repealing the dram shop act; repealing Minnesota Statutes 1984, sections 340.95; and 340.951.

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

Nelson, K.; Olsen, S.; Nelson, D.; Erickson and Lieder introduced:

H. F. No. 878, A bill for an act relating to education; requiring the higher education coordinating board to send information relating to post-secondary education to all eighth graders; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 136A.

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

Staten, Bishop, Wynia, Norton and Jennings, D., introduced:

H. F. No. 879, A bill for an act relating to agriculture; providing famine relief for African people; appropriating money.

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

O'Connor, Osthoff, Norton, Wynia and Kelly introduced:

H. F. No. 880, A bill for an act relating to the city of St. Paul; applying portions of the state ethical practices law to candidates in the city elections.

The bill was read for the first time and referred to the Committee on General Legislation and Veterans Affairs.

Thorson, Sherman, Waltman, Zaffke and Neuenschwander introduced:

H. F. No. 881, A bill for an act relating to natural resources; providing for annual timber harvest public informational meetings; amending Minnesota Statutes 1984, section 90.041, subdivision 4.

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

Thorson, Riveness, Waltman and Jennings, L., introduced:

H. F. No. 882, A bill for an act relating to natural resources; authorizing the commissioner to enter into agreements with other states for forest fire prevention and suppression purposes; proposing coding for new law in Minnesota Statutes, chapter 88.

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

Tomlinson, Bennett, Heap, Kelly and Staten introduced:

H. F. No. 883, A bill for an act relating to unclaimed property; extending coverage to corporate stock and other ownership interests; amending Minnesota Statutes 1984, sections 345.35; 345.43; and 345.47.

The bill was read for the first time and referred to the Committee on Commerce and Economic Development.

Staten, Onnen, Greenfield, Clark and Jaros introduced:

H. F. No. 884, A bill for an act relating to human services; establishing and empowering a board for the blind; transferring certain powers and duties of the commissioner of human services to the board; appropriating money; amending Minnesota Statutes 1984, section 160.28, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 248; repealing Minnesota Statutes 1984, sections 248.07; and 248.08.

The bill was read for the first time and referred to the Committee on Health and Human Services.

Clark introduced:

H. F. No. 885, A bill for an act relating to post-secondary education; reducing the tuition component required to pay in part for instruction costs; amending Minnesota Statutes 1984, section 135A.03, subdivision 1.

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

Jennings, L.; Peterson; Nelson, D.; Carlson, D., and Johnson introduced:

H. F. No. 886, A resolution memorializing the governments of the United States and Sweden that the State of Minnesota adopts the County of Kronoberg as a sister state.

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

Begich and Battaglia introduced:

H. F. No. 887, A bill for an act relating to peace officers; regulating hours worked by part-time peace officers; amending Minnesota Statutes 1984, section 179A.03, subdivision 14.

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

Pauly; Anderson, R.; Solberg; Piepho and Sparby introduced:

H. F. No. 888, A bill for an act relating to commerce; granting motor fuel retailers the option to purchase from wholesalers other than the refiner; proposing coding for new law in Minnesota Statutes, chapter 80C.

The bill was read for the first time and referred to the Committee on Commerce and Economic Development.

Frederickson, Becklin, Dyke, Sparby and McEachern introduced:

H. F. No. 889, A bill for an act relating to local government; providing for the conduct of the business of towns; providing for certain town debt; authorizing certain towns to provide certain services; revising various other town laws; amending Minnesota Statutes 1984, sections 16B.62, by adding a subdivision; 160.17, subdivision 1; 160.25, subdivision 3; 163.11, subdivision 5a, and by adding a subdivision; 164.06; 365.10; 365.37; 365.44; 366.095; 367.03, subdivision 2; 367.10; 367.23; 444.075; and 471.56, subdivisions 1 and 3; proposing coding for new law in Minnesota Statutes, chapters 365 and 379; repealing Minnesota Statutes 1984, section 375.18, subdivisions 4, 5, and 6.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

Ozment, Clausnitzer, Knickerbocker, Greenfield and Jaros introduced:

H. F. No. 890, A bill for an act relating to human services; providing for reimbursement of chiropractic services for people receiving general assistance medical care; clarifying the meaning of medically certified for purposes of a work exemption under general assistance; amending Minnesota Statutes 1984, sections 256D.03, subdivision 4; and 256D.111, subdivision 2.

The bill was read for the first time and referred to the Committee on Health and Human Services.

Rees, Backlund, Kiffmeyer, Cohen and McKasy introduced:

H. F. No. 891, A bill for an act relating to civil procedure; providing for the treatment of certain foreign judgments; enacting the Uniform Foreign Money-Judgments Act; proposing coding for new law in Minnesota Statutes, chapter 548.

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

Staten; Olsen, S.; Nelson, K., and McEachern introduced:

H. F. No. 892, A bill for an act relating to education; requiring a school district to disclose effects of not taking certain courses; proposing coding for new law in Minnesota Statutes, chapter 126.

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

Nelson, K.; Blatz; Seaberg; Lieder and Kelly introduced:

H. F. No. 893, A bill for an act relating to crime victims; requiring that crime victims be notified of certain court dates and other information; requiring that the needs of victims and witnesses be considered when criminal cases are scheduled; amending Minnesota Statutes 1984, sections 609.115, subdivision 1c; and 611A.03; proposing coding for new law in Minnesota Statutes, chapter 611A.

The bill was read for the first time and referred to the Committee on Crime and Family Law.

Dyke, Redalen, Jacobs, Kalis and Haukoos introduced:

H. F. No. 894, A bill for an act relating to utilities; defining independent telephone company; amending Minnesota Statutes 1984, section 237.01, subdivision 3.

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

Carlson, D.; Johnson; Schoenfeld; Omann and Battaglia introduced:

H. F. No. 895, A bill for an act relating to towns; providing funds for the preparation of a handbook of town laws; appropriating money.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

Valento and Rose introduced:

H. F. No. 896, A bill for an act relating to education; providing for employment rights in certain school district supervisory, administrative positions; amending Minnesota Statutes 1984, section 125.12, by adding a subdivision.

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

Gruenes, Erickson, Kelly, Haukoos and Knickerbocker introduced:

H. F. No. 897, A bill for an act relating to education; establishing the state council on vocational technical education; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 136C.

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

Solberg, Fjoslien, Beard and Ogren introduced:

H. F. No. 898, A bill for an act relating to gambling; allowing casino nights under certain circumstances; amending Minnesota Statutes 1984, sections 349.31, by adding a subdivision; and 609.761; proposing coding for new law in Minnesota Statutes, chapter 349.

The bill was read for the first time and referred to the Committee on General Legislation and Veterans Affairs.

Bennett; Jennings, L.; Olsen, S.; Rose and Battaglia introduced:

H. F. No. 899, A bill for an act relating to the environment; providing for the statewide open burning of leaves in the spring and fall as governed by local ordinances; amending Minnesota Statutes 1984, section 116.082.

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

Halberg, Tompkins, Metzen, Seaberg and Rees introduced:

H. F. No. 900, A bill for an act relating to courts; providing for additional county court judgeships in the first judicial district; appropriating money; amending Minnesota Statutes 1984, section 487.01, subdivision 5.

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

Nelson, K., introduced:

H. F. No. 901, A bill for an act relating to elections in the city of Minneapolis; changing the time of election of certain board members; extending certain terms; amending Laws 1959, chapter 462, section 3, subdivision 1, as amended and renumbered.

The bill was read for the first time and referred to the Committee on General Legislation and Veterans Affairs.

Shaver, Osthoff, Gutknecht, McKasy and Tjornhom introduced:

H. F. No. 902, A bill for an act relating to the legislature; reducing its size; amending Minnesota Statutes 1984, sections 2.021 and 2.031, subdivision 1.

The bill was read for the first time and referred to the Committee on General Legislation and Veterans Affairs.

Hartinger; Jennings, D., and Valento introduced:

H. F. No. 903, A bill for an act relating to solid waste; prohibiting the operation, construction, and expansion of a waste facility in the city of Ramsey; providing for local approval.

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

Gutknecht, Hartle, Clausnitzer, Kiffmeyer and Kvam introduced:

H. F. No. 904, A bill for an act relating to workers' compensation; repealing the state workers' compensation insurance fund; repealing Minnesota Statutes 1984, chapter 176A.

The bill was read for the first time and referred to the Committee on Labor-Management Relations.

Backlund; Olsen, S.; McEachern; Schafer and Knuth introduced:

H. F. No. 905, A bill for an act relating to education; providing for decline pupil units in certain school districts; appropriating money; amending Minnesota Statutes 1984, sections 124.17, by adding a subdivision; 124A.02, subdivision 6, and by adding a subdivision; and 124A.03, subdivision 3.

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

Backlund; Anderson, R.; Hartle; Dempsey and Hartinger introduced:

H. F. No. 906, A bill for an act relating to taxation; reducing individual income taxes; amending Minnesota Statutes 1984, section 290.06, subdivision 2c.

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

Valento, Wynia and Vellenga introduced:

H. F. No. 907, A bill for an act relating to Ramsey county; providing for the creation, organization, powers, and duties of a personnel system; providing penalties; amending Minnesota Statutes 1984, sections 383.405; and 383A.41, subdivision 5; proposing coding for new law in Minnesota Statutes, chapter 383A; repealing Minnesota Statutes 1984, sections 383A.28; 383A.29; 383A.30; and 383A.31.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

Onnen introduced:

H. F. No. 908, A bill for an act relating to nursing homes; extending the nursing home bed moratorium; amending Minnesota Statutes 1984, section 144A.071, subdivisions 1, 2, and 3.

The bill was read for the first time and referred to the Committee on Health and Human Services.

Schafer introduced:

H. F. No. 909, A bill for an act relating to education; appropriating money for a grant to the Arlington/Gaylord/Gibbon/Winthrop cable communications commission.

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

Gruenes and Greenfield introduced:

H. F. No. 910, A bill for an act relating to human services; authorizing the commissioner to establish a state advisory planning council; requiring counties to contract with nonprofit organizations; changing set aside project amounts; amending Minnesota Statutes 1984, sections 245.70, subdivision 1; 245.71; 245.711, subdivision 2; and 245.713, subdivision 2.

The bill was read for the first time and referred to the Committee on Health and Human Services.

Gruenes and Clark introduced:

H. F. No. 911, A bill for an act relating to human services; expanding medical assistance eligibility for young mothers living at home with parents; allowing prenatal services to be delivered to pregnant women living at home; amending Minnesota Statutes 1984, sections 256.99; 256B.02, subdivisions 2 and 3; 256B.06, subdivision 1; 256B.062; and 256B.17, subdivision 6.

The bill was read for the first time and referred to the Committee on Health and Human Services.

Clausnitzer and Segal introduced:

H. F. No. 912, A bill for an act relating to human services; increasing incentives for enforcing and collecting child support; amending Minnesota Statutes 1984, sections 256.74, subdivision 5; 256.87, subdivisions 1a and 3; 257.58, subdivision 1; 518.551, subdivision 7; 518.611, subdivisions 2, 4, and 6; and 518.645; repealing Minnesota Statutes 1984, section 518.611, subdivision 3.

The bill was read for the first time and referred to the Committee on Health and Human Services.

Quist and Stanius introduced:

H. F. No. 913, A bill for an act relating to employment; abolishing the department of economic security; creating a new department of jobs and training; transferring responsibilities of the department of economic security to the department of jobs and training and the department of human services; transferring certain employment and training functions of the department of human services and the department of administration to the department of jobs and training; providing for biennial statewide plans for jobs and training and apprenticeships; providing for coordination of state and federal jobs programs; establishing community investment programs; granting rule-making authority; changing formulas for paying local agencies for general assistance grants to recipients subject to work requirements; removing a sunset provision from the Minnesota emergency employment development act; amending Minnesota Statutes 1984, sections 86.33, by adding subdivisions; 116L.03, subdivision 7; 116L.04, by adding a subdivision; 129A.02, subdivision 2; 129A.03; 129A.04; 178.03, by adding a subdivision; 245.87; 248.07; 248.08; 256.01, subdivision 4; 256.736; 256C.24; 256C.25; 256C.26; 256D.02, subdivision 13; 256D.03, subdivision 2; 256D.09, subdivision 3, and by adding a subdivision; 256D.111, subdivision 2; 268.31; 268.32; 268.33; 268.34; 268.35; 268.36; 268.673, subdivisions 1 and 3; 268.683, subdivision 3; and 268.685; 268.82; proposing coding for new law as Minnesota Statutes, chapter 268A; repealing Minnesota Statutes 1984, sections 129A.02, subdivision 4; 245.84, subdivision 2; 256.737; 256D.02, subdivision 8a; 256D.111, subdivision 1a; 256D.112; 268.011; 268.012; 268.013; 268.12, subdivisions 1 and 1a; 268.683, subdivision 2; 268.684; 268.686; 268.80; and 268.81.

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

Long, Kostohryz, Ogren, Otis and Greenfield introduced:

H. F. No. 914, A bill for an act relating to education; requiring school districts to provide special instruction and services for handicapped children under the age of four and their families; requiring certain agencies and political subdivisions to maintain certain services and funding levels for young handicapped children and their families until agreements are reached; appropriating money; amending Minnesota Statutes 1984, sections 120.03; 120.17, subdivisions 1, 2, 3, 3a, and by adding subdivisions; 124.17, subdivision 1; 124.223; and 124.32, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Health and Human Services.

Vellenga, Wenzel, Schoenfeld, Segal and Erickson introduced:

H. F. No. 915, A bill for an act relating to education; requiring school districts to provide special instruction and services for handicapped children under the age of four and their families; requiring certain agencies and political subdivisions to maintain certain services and funding levels for young handicapped children and their families until agreements are reached; appropriating money; amending Minnesota Statutes 1984, sections 120.03; 120.17, subdivisions 1, 2, 3, 3a, and by adding subdivisions; 124.17, subdivision 1; 124.223; and 124.32, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Health and Human Services.

Heap, Marsh, Bennett and Seaberg introduced:

H. F. No. 916, A bill for an act relating to corporations; regulating corporate take-overs and control share acquisitions; defining terms; prescribing penalties; amending Minnesota Statutes 1984, sections 80B.01, subdivisions 6, 8, and 9; 80B.03, subdivisions 1, 2, 4a, 5, and 6; 80B.05; 80B.06, subdivision 7; 80B.07, subdivision 3; 80B.10, subdivisions 1, 4, and by adding a subdivision; 302A.011, subdivisions 37, 39, and by adding a subdivision; 302A.449, subdivision 7; and 302A.671; repealing Minnesota Statutes 1984, section 80B.06, subdivisions 3, 4, and 6.

The bill was read for the first time and referred to the Committee on Commerce and Economic Development.

Valan, Seaberg, Rice, Johnson and Norton introduced:

H. F. No. 917, A bill for an act relating to motor vehicles; providing that certain license plates be issued every six years; amending Minnesota Statutes 1984, section 168.12, subdivisions 1 and 5.

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

Jaros, Munger and Boo introduced:

H. F. No. 918, A bill for an act relating to labor; independent school district No. 709; removing educational assistants from civil service; amending Laws 1967, chapter 252, section 2, as amended.

The bill was read for the first time and referred to the Committee on Labor-Management Relations.

Pappas, Clark and Knuth introduced :

H. F. No. 919, A bill for an act relating to human services; transferring the child care sliding fee program to the department of economic security; expanding the child care sliding fee program; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 256; and repealing Minnesota Statutes 1984, sections 245.84, subdivision 2; and 245.87.

The bill was read for the first time and referred to the Committee on Health and Human Services.

Riveness introduced :

H. F. No. 920, A bill for an act relating to taxation; providing for economic opportunity and arts enterprise zones; depositing revenue from the mortgage registration and deed taxes with the county and reducing certain welfare aids to the counties by the amount of revenue deposited; providing for local collection of taconite production taxes; changing property tax refund benefit schedules; changing maximum local government aid to cities and towns; amending Minnesota Statutes 1984, sections 273.1312, subdivision 4; 273.1313, subdivision 2; 273.1314, subdivisions 2, 4, 5, 7, 8, and by adding subdivisions; 273.136, subdivisions 1, 2, and 4; 287.05, subdivision 1; 287.08; 287.09; 287.12; 287.21, subdivision 2, and by adding a subdivision; 287.23; 287.25; 287.28; 287.29, subdivision 1; 287.33; 287.35; 290A.03, subdivisions 3, 7, and 8; 290A.04, subdivisions 1, 2, and 3; 290A.06; 290A.19; 298.225; 298.24, subdivision 4; 298.27; 298.28, subdivisions 1 and 2; 298.282, subdivisions 1, 4, and 5; and 477A.011, subdivision 10; repealing Minnesota Statutes 1984, sections 273.136, subdivision 3; 287.27; 287.29; 287.32; and 290A.04, subdivisions 2a and 2b.

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

Zaffke introduced :

H. F. No. 921, A bill for an act relating to energy; providing for the method of calculating the payback of certain energy conservation investments; amending Minnesota Statutes 1984, section 116J.37, subdivision 1.

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

Pauly, Otis, Bishop, Norton and Valento introduced:

H. F. No. 922, A bill for an act relating to economic development; granting certain powers to municipalities; amending Minnesota Statutes 1984, sections 16B.61, subdivision 3; 273.73, subdivisions 9, 12, and by adding a subdivision; 273.74, subdivision 3; 273.75, subdivision 1; 273.76, subdivision 1; 458.16, by adding a subdivision; 462.352, subdivisions 5, 7, 9, 10, 15, and by adding a subdivision; 462.357, subdivision 1; 462.358, subdivision 2a; 472.08, subdivision 1; 472A.03; 474.02, by adding a subdivision; Laws 1980, chapter 595, section 3, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 465; and proposing coding for new law as Minnesota Statutes, chapter 472B.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

Tomlinson introduced:

H. F. No. 923, A bill for an act relating to taxation; simplifying the property classification system; amending Minnesota Statutes 1984, sections 124.2137, subdivision 1; 272.02, subdivision 1, and by adding a subdivision; 272.115, subdivision 4; 273.1104, subdivision 1; 273.115, subdivisions 3 and 7; 273.116, subdivisions 3 and 7; 273.118; 273.121; 273.123, subdivisions 1 and 4; 273.13, by adding subdivisions; 273.1311; 273.1313, subdivisions 1, 2, and 4; 273.1314, subdivision 6; 273.133, subdivisions 1 and 3; 273.135, subdivisions 1, 2, and 5; 273.1391, subdivisions 1, 2, and 4; 273.1392; 273.15; 273.38; 273.42, subdivision 2; 274.19, by adding a subdivision; 276.04; 279.01, subdivision 1; 290A.03, subdivisions 6, 13, and 14; 290A.04, subdivisions 2, 2a, and 2b; proposing coding for new law in Minnesota Statutes, chapter 273; repealing Minnesota Statutes 1984, sections 273.11, subdivision 8; 273.1105; 273.112, subdivision 9; 273.13, subdivisions 2, 2a, 3, 4, 5a, 6, 6a, 7, 7a, 7b, 7c, 7d, 8a, 9, 10, 11, 12, 14a, 15a, 16, 17, 17a, 17b, 17c, 17d, 19, 20, and 21; 273.1313, subdivision 3; and 273.1315.

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

Onnen introduced:

H. F. No. 924, A bill for an act relating to health; providing for the approval of hospital swing beds; authorizing the granting of license conditions; providing penalties; amending Minnesota Statutes 1984, sections 144.50, subdivision 2; 144A.01, subdivision 5; proposing coding for new law in Minnesota Statutes, chapter 144.

The bill was read for the first time and referred to the Committee on Health and Human Services.

Gruenes; Carlson, L.; Anderson, R.; Vellenga and Valan introduced:

H. F. No. 925, A bill for an act relating to health; changing eligibility requirements for catastrophic health expense protection program; appropriating money; amending Minnesota Statutes 1984, sections 62E.52, subdivisions 2, 3, 7, and by adding a subdivision; 62E.53, subdivisions 1, 2, 3, and 4; and 62E.531, subdivisions 1 and 3.

The bill was read for the first time and referred to the Committee on Health and Human Services.

Thiede, Sviggum and Wenzel introduced:

H. F. No. 926, A bill for an act relating to education; aids to school districts; requiring that AFDC pupil units be computed each year based upon the annual count of pupils whose families receive aid to families with dependent children; amending Minnesota Statutes 1984, sections 124.17, by adding a subdivision; and 124A.02, subdivision 16.

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

Voss, Waltman, Rose, Quinn and Otis introduced:

H. F. No. 927, A bill for an act relating to watercraft; exempting certain boats from watercraft licensing requirements; amending Minnesota Statutes 1984, section 361.03, subdivision 12.

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

Thiede, Zaffke, Backlund, Battaglia and Kahn introduced:

H. F. No. 928, A bill for an act relating to the registration of snowmobiles; correcting an erroneous repealer; amending Minnesota Statutes 1984, section 84.82, by adding a subdivision; repealing Minnesota Statutes 1984, section 84.82, subdivision 9.

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

Minne introduced:

H. F. No. 929, A bill for an act relating to outdoor recreation; disposition of cross country ski license fees; amending Minnesota Statutes 1984, sections 85.41, subdivision 2; and 85.43.

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

Voss, Simoneau, Sviggum, Quinn and Dempsey introduced:

H. F. No. 930, A bill for an act relating to retirement; volunteer firefighters serving new fire district; service credit; amending Minnesota Statutes 1984, section 424A.02, by adding a subdivision.

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

Begich, Battaglia and Carlson, D., introduced:

H. F. No. 931, A bill for an act relating to natural resources; providing for exemption of certain peat harvesting operations from the requirement for mining permits; amending Minnesota Statutes 1984, section 93.461.

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

Metzen introduced:

H. F. No. 932, A bill for an act relating to the city of South Saint Paul; authorizing the city to permit certain nonprofit organizations to conduct blackjack.

The bill was read for the first time and referred to the Committee on General Legislation and Veterans Affairs.

Long, Pauly, Scheid and Cohen introduced:

H. F. No. 933, A bill for an act relating to taxation; limiting the property tax on homesteads; providing for state reimbursement to local governments for revenue lost due to the limitation; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 273.

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

Long, Cohen and Vanasek introduced:

H. F. No. 934, A bill for an act relating to civil commitment; requiring continued commitment of mentally retarded persons to be for a determinate period of time; conforming provisions relating to mentally ill and mentally retarded persons; correcting a cross-reference; amending Minnesota Statutes 1984, sections 253B.12, subdivision 4; and 253B.13, subdivisions 1 and 3; proposing coding for new law in Minnesota Statutes, chapter 253B; repealing Minnesota Statutes 1984, section 253B.13, subdivision 2.

The bill was read for the first time and referred to the Committee on Health and Human Services.

Long, Himle, Scheid, Forsythe and Pauly introduced:

H. F. No. 935, A bill for an act relating to taxation; modifying homestead property tax assessment ratios; amending Minnesota Statutes 1984, section 273.13, subdivisions 6 and 7.

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

Long, Forsythe, Pauly and Scheid introduced:

H. F. No. 936, A bill for an act relating to taxation; modifying the homestead credit computation; amending Minnesota Statutes 1984, section 273.13, subdivisions 6, 7, and 14a.

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

Richter, Zaffke, Sparby, Haukoos and Poppenhagen introduced:

H. F. No. 937, A bill for an act relating to wild animals; altering provisions relating to taking and possession of certain animals; amending Minnesota Statutes 1984, sections 98.48, subdivision 5; 100.27, subdivisions 1, 3, and 4; and 100.29, subdivisions 15 and 25.

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

Blatz, Rest, Clausnitzer, Marsh and Pappas introduced:

H. F. No. 938, A bill for an act relating to the competency of witnesses; redefining the marital privilege; amending Minnesota Statutes 1984, section 595.02, subdivision 1.

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

Rose, Clausnitzer, Long, Tompkins and Hartinger introduced:

H. F. No. 939, A bill for an act relating to solid waste and sewage sludge management; restricting land disposal of solid waste in the metropolitan area; providing for the financing of resource recovery facilities in the metropolitan area by counties and the metropolitan council; changing provisions relating to designation plans, local disposal fees, metropolitan sludge and sludge ash facilities, and metropolitan county ordinances; defining terms; allocating and appropriating money from the metropolitan landfill contingency action and abatement funds; amending Minnesota Statutes 1984, sections 115A.03, subdivision 27; 115A.84, subdivisions 3 and 4; 115A.919; 473.153, subdivisions 5, 6b, and 7; 473.811, subdivisions 5 and 5a; 473.831; 473.840, subdivision 2; 473.842, by adding subdivisions; 473.843, subdivision 7; and 473.844, subdivisions 2 and 5; Laws 1984, chapter 644, section 81, subdivision 2; proposing coding for new law in Minnesota Statutes, chapters 115A and 473.

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

Rose, Sparby, Johnson, Neuenschwander and Haukoos introduced:

H. F. No. 940, A bill for an act relating to wild animals; authorizing the commissioner of natural resources to permit, on an experimental basis, the taking of two deer by one hunter, under conditions and restrictions prescribed by order; proposing coding for new law in Minnesota Statutes, chapter 98.

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

Valento and Stanius introduced:

H. F. No. 941, A bill for an act relating to metropolitan government; providing for the audit of certain metropolitan commissions; amending Minnesota Statutes 1984, sections 473.375, by adding a subdivision; 473.435, subdivision 2; 473.595, subdivision 5; 473.604, subdivision 6; and 473.703, subdivision 10; proposing coding for new law in Minnesota Statutes, chapter 6; repealing Minnesota Statutes 1984, section 3.9741.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

Sviggunn introduced:

H. F. No. 942, A bill for an act relating to the city of Red Wing; permitting the establishment of a port authority.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

Forsythe; Onnen; Greenfield; Carlson, J., and Brandl introduced:

H. F. No. 943, A bill for an act relating to human services; providing state hospital revolving fund for chemical dependency; creating a consolidated fund for payment of chemical dependency treatment; appropriating money to counties for treatment; providing for client eligibility, vendor eligibility, and state collections; providing for American Indian special funding; removing chemical dependency treatment from medical assistance, general assistance medical care, and general assistance funding; amending Minnesota Statutes 1984, sections 246.04; 246.18; 246.23; 246.50, by adding a subdivision; 246.51, subdivision 1; 246.54; 256B.02, subdivision 8; 256B.70; and 256D.03, subdivision 4; proposing coding for new law in Minnesota Statutes, chapter 246; and proposing coding for new law as Minnesota Statutes, chapter 254B.

The bill was read for the first time and referred to the Committee on Health and Human Services.

Valento introduced:

H. F. No. 944, A bill for an act relating to the city of Roseville; granting the city the powers of a port authority; requiring local approval.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

Begich introduced:

H. F. No. 945, A bill for an act relating to crimes; regulating the possession and use of handguns; specifying property rights of certain persons in handguns; prohibiting possession of firearms by certain felons; abolishing transferee permits; providing for licenses to purchase handguns; prohibiting transfer of handguns to unknown persons; requiring licenses to carry handguns; limiting legislation in subordinate jurisdictions; providing for disposition of stolen and confiscated firearms and edged weapons; prohibiting discrimination in the issuance of licenses to purchase a handgun or licenses to carry a handgun or weapon; excepting certain persons from the purview of the law prohibiting possession of short-barreled shotguns and machine guns; requiring the department of public safety to design application forms and licenses; prohibiting altering licenses to purchase handguns or to carry handguns; recognizing use of licenses to carry handguns issued by other jurisdictions; prescribing penalties; amending Minnesota Statutes 1984, sections 609.66; 609.67, subdivisions 4 and 5; 624.712; 624.713; 624.7131; 624.714; 624.715; 624.717; and 629.361; proposing coding for new law in Minnesota Statutes, chapter 624; repealing Minnesota Statutes 1984, sections 624.7132; 624.716; and 624.718.

The bill was read for the first time and referred to the Committee on General Legislation and Veterans Affairs.

Erickson, Redalen, Schoenfeld, Uphus and Rose introduced:

H. F. No. 946, A bill for an act relating to education; appropriating money for the agricultural extension service and to the state board of vocational technical education for certain agricultural projects.

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

Zaffke, Peterson, Ogren, Thorson and Bennett introduced:

H. F. No. 947, A bill for an act relating to commerce; regulating membership camping; prescribing the powers and duties of the commissioner; proposing coding for new law as Minnesota Statutes, chapter 82A.

The bill was read for the first time and referred to the Committee on Commerce and Economic Development.

Dempsey introduced:

H. F. No. 948, A bill for an act relating to marriage dissolution; allowing for a presumption of joint custody; requiring mediation services in contested custody matters; establishing a trust account in certain child support matters; amending Minnesota Statutes 1984, sections 518.17, subdivision 2; 518.551, subdivision 5; 518.57; 518.61; and 518.64, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 518; repealing Minnesota Statutes 1984, section 518.641.

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

Riveness, Price, Knuth, Rest and Pappas introduced:

H. F. No. 949, A bill for an act relating to landlords and tenants; allowing a tenant early termination of a rental lease under certain conditions; proposing coding for new law in Minnesota Statutes, chapter 504.

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

CALL OF THE HOUSE LIFTED

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

MESSAGES FROM THE SENATE

The following message was received from the Senate:

Mr. Speaker:

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

S. F. Nos. 71, 147 and 546.

PATRICK E. FLAHAVEN, Secretary of the Senate

FIRST READING OF SENATE BILLS

S. F. No. 71, A bill for an act relating to commerce; providing for payment to a farm implement retailer by the manufacturer, wholesaler, or distributor who repurchases inventory; requiring

the payment of interest on overdue accounts; amending Minnesota Statutes 1984, section 325E.06, subdivision 1.

The bill was read for the first time and referred to the Committee on Commerce and Economic Development.

S. F. No. 147, A bill for an act relating to human services; authorizing a state hospital to enter into shared service agreements with for profit organizations; amending Minnesota Statutes 1984, section 246.57, subdivision 3.

The bill was read for the first time and referred to the Committee on Health and Human Services.

S. F. No. 546, A bill for an act relating to agriculture; appropriating money for the state board of vocational technical education and the agricultural extension service of the University of Minnesota.

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

Osthoff and Scheid were excused for the remainder of today's session.

CONSENT CALENDAR

H. F. No. 267, A bill for an act relating to local government; authorizing certain political subdivisions to enter into certain joint insurance agreements.

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 0 nays as follows:

Those who voted in the affirmative were:

Anderson, G.	Clausnitzer	Gutknecht	Kostohryz	Nelson, D.
Backlund	Cohen	Halberg	Krueger	Nelson, K.
Battaglia	Dempsey	Hartinger	Kvam	Neuenschwander
Beard	DenOuden	Hartle	Levi	Norton
Becklin	Dimler	Haukoos	Lieder	O'Connor
Begich	Dyke	Heap	Long	Ogren
Bennett	Elioff	Himle	Marsh	Olsen, S.
Bishop	Ellingson	Jacobs	McDonald	Olson, E.
Blatz	Erickson	Jaros	McEachern	Omann
Brinkman	Fjoslien	Jennings, L.	McKasy	Onnen
Brown	Forsythe	Johnson	McLaughlin	Otis
Burger	Frederick	Kahn	McPherson	Ozment
Carlson, D.	Frederickson	Kalis	Metzen	Pauly
Carlson, J.	Frerichs	Kiffmeyer	Minne	Peterson
Carlson, L.	Greenfield	Knickerbocker	Munger	Piepho
Clark	Gruenes	Knuth	Murphy	Piper

Poppenhagen	Rodosovich	Simoneau	Thorson	Voss
Price	Rose	Skoglund	Tjornhom	Waltman
Quinn	Schafer	Solberg	Tompkins	Welle
Redalen	Schreiber	Sparby	Tunheim	Wenzel
Rees	Seaberg	Stanius	Uphus	Wynia
Rest	Segal	Staten	Valan	Zaffke
Richter	Shaver	Sviggum	Valento	Spk. Jennings, D.
Riveness	Sherman	Thiede	Vanasek	

The bill was passed and its title agreed to.

H. F. No. 329, A bill for an act relating to peace officers; requiring a person seeking appointment as a part-time peace officer to provide the board of peace officer standards and training with proof that he or she has complied with appointment requirements; amending Minnesota Statutes 1984, section 626.-8463.

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 117 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Anderson, G.	Fjoslien	Kvam	Otis	Skoglund
Backlund	Forsythe	Levi	Ozment	Solberg
Battaglia	Frederick	Lieder	Pauly	Sparby
Beard	Frederickson	Long	Piepho	Stanius
Becklin	Frerichs	Marsh	Piper	Staten
Begich	Greenfield	McDonald	Poppenhagen	Sviggum
Bennett	Gruenes	McEachern	Price	Thiede
Bishop	Gutknecht	McKasy	Quinn	Tjornhom
Blatz	Halberg	McLaughlin	Quist	Tompkins
Brinkman	Hartinger	McPherson	Redalen	Tunheim
Brown	Hartle	Metzen	Rees	Uphus
Burger	Haukoos	Minne	Rest	Valan
Carlson, D.	Heap	Munger	Richter	Valento
Carlson, J.	Jacobs	Murphy	Riveness	Vanasek
Carlson, L.	Jaros	Nelson, D.	Rodosovich	Voss
Clausnitzer	Jennings, L.	Nelson, K.	Rose	Waltman
Cohen	Johnson	Neuenschwander	Sarna	Welle
Dempsey	Kahn	Norton	Schafer	Wenzel
DenOuden	Kalis	O'Connor	Schreiber	Wynia
Dimler	Kiffmeyer	Ogren	Seaberg	Zaffke
Dyke	Knickerbocker	Olsen, S.	Segal	Spk. Jennings, D.
Elioff	Knuth	Olson, E.	Shaver	
Ellingson	Kostohryz	Omann	Sherman	
Erickson	Krueger	Onnen	Simoneau	

The bill was passed and its title agreed to.

H. F. No. 428, A bill for an act relating to the city of Eden Prairie; authorizing one annual one-day liquor license.

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 114 yeas and 3 nays as follows:

Those who voted in the affirmative were:

Backlund	Fjoslien	Kvam	Otis	Shaver
Battaglia	Forsythe	Levi	Ozment	Sherman
Beard	Frederick	Lieder	Pappas	Simoneau
Becklin	Frederickson	Long	Pauly	Skoglund
Begich	Frerichs	Marsh	Piepho	Solberg
Bennett	Greenfield	McDonald	Piper	Sparby
Bishop	Gruenes	McLaughlin	Poppenhagen	Stanius
Blatz	Gutknecht	McPherson	Price	Statén
Boo	Halberg	Metzen	Quinn	Swiggum
Brinkman	Hartle	Miller	Quist	Tjornhom
Brown	Haukoos	Minne	Redalen	Tompkins
Burger	Heap	Munger	Rees	Tunheim
Carlson, D.	Jacobs	Murphy	Rest	Uphus
Carlson, J.	Jaros	Nelson, D.	Richter	Valan
Carlson, L.	Jennings, L.	Nelson, K.	Riveness	Valento
Clark	Johnson	Neuenschwander	Rodosovich	Vanasek
Clausnitzer	Kahn	Norton	Rose	Voss
Cohen	Kalis	O'Connor	Sarna	Waltman
Dempsey	Kiffmeyer	Ogren	Schafer	Welle
Dimler	Knickerbocker	Olsen, S.	Schoenfeld	Wenzel
Dyke	Knuth	Olson, E.	Schreiber	Wynia
Elioff	Kostohryz	Omann	Seaberg	Spk. Jennings, D.
Ellingson	Krueger	Onnen	Segal	

Those who voted in the negative were:

DenOuden Erickson Hartinger

The bill was passed and its title agreed to.

H. F. No. 511, A bill for an act relating to crimes; clarifying the elements of the crime of assault in the second degree; amending Minnesota Statutes 1984, section 609.222.

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:

Backlund	Carlson, J.	Forsythe	Jacobs	Lieder
Battaglia	Carlson, L.	Frederick	Jaros	Long
Beard	Clark	Frederickson	Jennings, L.	Marsh
Becklin	Clausnitzer	Frerichs	Johnson	McDonald
Begich	Cohen	Greenfield	Kahn	McEachern
Bennett	Dempsey	Gruenes	Kalis	McLaughlin
Bishop	DenOuden	Gutknecht	Kiffmeyer	McPherson
Blatz	Dimler	Halberg	Knickerbocker	Metzen
Boerboom	Dyke	Hartinger	Knuth	Miller
Boo	Elioff	Hartle	Kostohryz	Minne
Brown	Ellingson	Haukoos	Krueger	Munger
Burger	Erickson	Heap	Kvam	Murphy
Carlson, D.	Fjoslien	Himle	Levi	Nelson, D.

Nelson, K.	Pauly	Rose	Sparby	Valento
Neuenschwander	Peterson	Sarna	Stanis	Vanasek
Norton	Piepho	Schafer	Staten	Voss
O'Connor	Poppenhagen	Schoenfeld	Sviggum	Waltman
Ogren	Price	Schreiber	Thiede	Welle
Olsen, S.	Quist	Seaberg	Thorson	Wenzel
Olson, E.	Redalen	Segal	Tjornhom	Wynia
Omann	Rees	Shaver	Tomlinson	Zaffke
Onnen	Rest	Sherman	Tompkins	Spk. Jennings, D.
Otis	Richter	Simoneau	Tunheim	
Ozment	Riveness	Skoglund	Uphus	
Pappas	Rodosovich	Solberg	Valan	

The bill was passed and its title agreed to.

CALENDAR

H. F. No. 151 was reported to the House and given its third reading.

The Speaker called Halberg to the Chair.

The Speaker resumed the Chair.

CALL OF THE HOUSE

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

Anderson, G.	Dyke	Kvam	Otis	Simoneau
Anderson, R.	Elioff	Levi	Ozment	Skoglund
Backlund	Ellingson	Lieder	Pappas	Solberg
Battaglia	Erickson	Long	Peterson	Sparby
Beard	Forsythe	Marsh	Piepho	Stanis
Becklin	Frederick	McDonald	Poppenhagen	Staten
Begich	Frederickson	McEachern	Price	Sviggum
Bennett	Frerichs	McLaughlin	Quinn	Thiede
Bishop	Greenfield	McPherson	Quist	Thorson
Blatz	Gruenes	Metzen	Redalen	Tjornhom
Boerboom	Gutknecht	Miller	Rees	Tomlinson
Boo	Hartinger	Minne	Rest	Tompkins
Brinkman	Hartle	Munger	Richter	Uphus
Brown	Haukoos	Murphy	Riveness	Valento
Burger	Heap	Nelson, D.	Rodosovich	Vanasek
Carlson, D.	Himle	Nelson, K.	Rose	Waltman
Carlson, J.	Jacobs	Neuenschwander	Sarna	Welle
Carlson, L.	Jennings, L.	Norton	Schafer	Wenzel
Clark	Johnson	O'Connor	Schoenfeld	Wynia
Clausnitzer	Kahn	Ogren	Schreiber	Zaffke
Cohen	Knickerbocker	Olsen, S.	Seaberg	Spk. Jennings, D.
Dempsey	Knuth	Olson, E.	Segal	
DenOuden	Kostohryz	Omann	Shaver	
Dimler	Krueger	Onnen	Sherman	

Levi 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.

H. F. No. 151, A bill for an act relating to education; prohibiting a school district from commencing the school year prior to Labor Day; amending Minnesota Statutes 1984, section 126.12.

The bill was 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 48 nays as follows:

Those who voted in the affirmative were:

Anderson, R.	Forsythe	Knuth	Olson, E.	Sherman
Battaglia	Frederick	Kostohryz	Omamn	Solberg
Beard	Gutknecht	Krueger	Peterson	Sparby
Becklin	Halberg	Levi	Poppenhagen	Stanisus
Begich	Hartinger	Lieder	Price	Thiede
Bennett	Hartle	Marsh	Quinn	Thorson
Blatz	Heap	McDonald	Quist	Tjornhom
Boo	Himle	McEachern	Redalen	Valento
Brinkman	Jacobs	Metzen	Rees	Voss
Carlson, D.	Jaros	Minne	Richter	Wenzel
Clark	Johnson	Munger	Rodosovich	Zafke
Cohen	Kahn	Murphy	Schafer	Spk. Jennings, D.
Elioff	Kiffmeyer	Neuenschwander	Schoenfeld	
Fjoslien	Knickerbocker	Ogren	Shaver	

Those who voted in the negative were:

Anderson, G.	Dimler	Kalis	Ozment	Swiggum
Backlund	Dyke	Kvam	Pappas	Tomlinson
Bishop	Ellingson	McKasy	Piepho	Tompkins
Boerboom	Erickson	McLaughlin	Piper	Valan
Brown	Frederickson	McPherson	Rest	Vanasek
Burger	Frerichs	Miller	Riveness	Waltman
Carlson, J.	Greenfield	Nelson, D.	Rose	Welle
Carlson, L.	Gruenes	Nelson, K.	Seaberg	Wynia
Dempsey	Haukoos	Olsen, S.	Skoglund	
DenOuden	Jennings, L.	Onnen	Staten	

The bill was passed and its title agreed to.

H. F. No. 78, A bill for an act relating to crimes; defining the crime of owning or operating a disorderly house; requiring a mandatory fine for a person owning or operating a disorderly house; amending Minnesota Statutes 1984, section 609.33.

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 124 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Anderson, G.	Beard	Bishop	Brinkman	Carlson, J.
Anderson, R.	Becklin	Blatz	Brown	Carlson, L.
Backlund	Begich	Boerboom	Burger	Clark
Battaglia	Bennett	Boo	Carlson, D.	Clausnitzer

Cohen	Himle	Miller	Poppenhagen	Sparby
Dempsey	Jacobs	Minne	Price	Stanius
DenOuden	Jennings, L.	Munger	Quinn	Staten
Dimler	Johnson	Murphy	Quist	Sviggum
Dyke	Kahn	Nelson, D.	Redalen	Thiede
Elioff	Kalis	Nelson, K.	Rees	Thorson
Ellingson	Kiffmeyer	Neuenschwander	Rest	Tjornhom
Erickson	Knickerbocker	Norton	Richter	Tomlinson
Fjoslien	Knuth	O'Connor	Riveness	Tompkins
Forsythe	Kostohryz	Ogren	Rodosovich	Tunheim
Frederick	Krueger	Olsen, S.	Rose	Valan
Frederickson	Kvam	Olson, E.	Sarna	Valento
Frerichs	Levi	Omman	Schafer	Vanasek
Greenfield	Lieder	Onnen	Schoenfeld	Voss
Gruenes	Long	Otis	Schreiber	Waltman
Gutknecht	Marsh	Ozment	Seaberg	Welle
Halberg	McDonald	Pappas	Segal	Wenzel
Hartinger	McEachern	Pauly	Shaver	Wynia
Hartle	McLaughlin	Peterson	Sherman	Zaffke
Haukoos	McPherson	Piepho	Skoglund	Spk. Jennings, D.
Heap	Metzen	Piper	Solberg	

The bill was passed and its title agreed to.

CALL OF THE HOUSE LIFTED

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

H. F. No. 282, A bill for an act relating to education; declaring the mission of public elementary and secondary education in Minnesota; proposing coding for new law in Minnesota Statutes, chapter 120.

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 116 yeas and 3 nays as follows:

Those who voted in the affirmative were:

Anderson, G.	Cohen	Jaros	Munger	Poppenhagen
Anderson, R.	Dempsey	Jennings, L.	Murphy	Price
Backlund	Dyke	Johnson	Nelson, D.	Quinn
Battaglia	Elioff	Kahn	Nelson, K.	Quist
Beard	Ellingson	Kalis	Neuenschwander	Redalen
Becklin	Erickson	Knickerbocker	Norton	Rees
Begich	Fjoslien	Knuth	O'Connor	Rest
Bennett	Forsythe	Kostohryz	Ogren	Richter
Blatz	Frederick	Krueger	Olsen, S.	Riveness
Boerboom	Frederickson	Kvam	Olson, E.	Rodosovich
Boo	Greenfield	Levi	Omman	Rose
Brinkman	Gruenes	Lieder	Onnen	Sarna
Brown	Gutknecht	Long	Otis	Schafer
Burger	Halberg	Marsh	Ozment	Schoenfeld
Carlson, D.	Hartinger	McEachern	Pappas	Schreiber
Carlson, J.	Hartle	McLaughlin	Pauly	Seaberg
Carlson, L.	Haukoos	McPherson	Peterson	Segal
Clark	Himle	Metzen	Piepho	Sherman
Clausnitzer	Jacobs	Minne	Piper	Simoneau

Skoglund	Sviggum	Tompkins	Valento	Welle
Solberg	Thorson	Tunheim	Vanasek	Wenzel
Sparby	Tjornhom	Uphus	Voss	Wynia
Stanius	Tomlinson	Valan	Waltman	Spk. Jennings, D.
Staten				

Those who voted in the negative were :

Kiffmeyer	McDonald	Zaffke
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The bill was passed and its title agreed to.

H. F. No. 268 was reported to the House and given its third reading.

CALL OF THE HOUSE

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

Anderson, G.	Erickson	Levi	Ozment	Skoglund
Anderson, R.	Fjoslien	Lieder	Pappas	Solberg
Backlund	Forsythe	Long	Pauly	Sparby
Battaglia	Frederick	Marsh	Peterson	Stanius
Becklin	Frederickson	McDonald	Piepho	Staten
Begich	Frerichs	McEachern	Piper	Sviggum
Bennett	Greenfield	McKasy	Poppenhagen	Thiede
Bishop	Gruenes	McLaughlin	Price	Thorson
Blatz	Gutknecht	McPherson	Quinn	Tjornhom
Boerboom	Halberg	Metzen	Quist	Tomlinson
Boo	Hartinger	Miller	Redalen	Tompkins
Brown	Hartle	Minne	Rees	Tunheim
Burger	Haukoos	Munger	Rest	Uphus
Carlson, D.	Heap	Murphy	Richter	Valan
Carlson, J.	Himle	Nelson, D.	Rodosovich	Vanasek
Carlson, L.	Jacobs	Nelson, K.	Rose	Voss
Clark	Jaros	Neuenschwander	Sarna	Waltman
Clausnitzer	Jennings, L.	Norton	Schafer	Welle
Cohen	Johnson	O'Connor	Schoenfeld	Wenzel
Dempsey	Kalis	Ogren	Schreiber	Wynia
DenOuden	Kiffmeyer	Olsen, S.	Seaberg	Zaffke
Dimler	Knuth	Olson, E.	Segal	Spk. Jennings, D.
Dyke	Kostohryz	Omman	Shaver	
Elioff	Krueger	Onnen	Sherman	
Ellingson	Kvam	Otis	Simoneau	

Levi 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.

H. F. No. 268, A bill for an act relating to the environment; removing statutory provisions for joint and several liability and causation for personal injury; changing the date when liability applies; removing additional defense for abnormally dangerous activity; stating effect of removing certain provisions; amending Minnesota Statutes 1984, sections 115B.05, subdivision 1; 115B.06, subdivision 1; and 115B.09; proposing coding for new

law in Minnesota Statutes, chapter 115B; repealing Minnesota Statutes 1984, sections 115B.06, subdivision 2; and 115B.07.

The bill was placed upon its final passage.

The question was taken on the passage of the bill and the roll was called.

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

There were 81 yeas and 44 nays as follows:

Those who voted in the affirmative were:

Anderson, R.	Fjoslien	Krueger	Piepho	Thorson
Backlund	Forsythe	Kvam	Poppenhagen	Tjornhom
Becklin	Frederick	Levi	Price	Tomlinson
Bennett	Frederickson	Lieder	Quist	Tompkins
Bishop	Frerichs	Marsh	Redalen	Tunheim
Blatz	Gruenes	McDonald	Rees	Uphus
Boerboom	Gutknecht	McEachern	Richter	Valan
Boo	Hartle	McKasy	Rose	Valento
Burger	Haukoos	McPherson	Schafer	Voss
Carlson, D.	Heap	Metzen	Schreiber	Waltman
Carlson, J.	Himle	Miller	Seaberg	Welle
Clausnitzer	Jennings, L.	Neuenschwander	Shaver	Zaffke
Dempsey	Johnson	Olson, E.	Sherman	Spk. Jennings, D.
DenOuden	Kalis	Omann	Sparby	
Dimler	Kiffmeyer	Onnen	Stanisus	
Dyke	Knickerbocker	Ozment	Sviggum	
Erickson	Kostohryz	Pauly	Thiede	

Those who voted in the negative were:

Anderson, G.	Greenfield	Minne	Pappas	Segal
Battaglia	Halberg	Munger	Peterson	Simoneau
Beard	Hartinger	Murphy	Piper	Skogiund
Begich	Jacobs	Nelson, D.	Quinn	Solberg
Brown	Jaros	Norton	Rest	Staten
Carlson, L.	Kahn	O'Connor	Riveness	Vanasek
Clark	Knuth	Ogren	Rodosovich	Wenzel
Cohen	Long	Olsen, S.	Sarna	Wynia
Elioff	McLaughlin	Otis	Schoenfeld	

The bill was passed and its title agreed to.

CALL OF THE HOUSE LIFTED

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

Kvam and Valan were excused for the remainder of today's session.

GENERAL ORDERS

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

MOTIONS AND RESOLUTIONS

Rees moved that the name of Vanasek be added as an author on H. A. No. 5. The motion prevailed.

Pappas moved that the name of Haukoos be stricken and the name of Clark be added as an author on H. F. No. 492. The motion prevailed.

Johnson moved that the name of Gutknecht be added as an author on H. F. No. 683. The motion prevailed.

Anderson, R., moved that the name of Zaffke be added as an author on H. F. No. 694. The motion prevailed.

Marsh moved that his name be stricken as an author on H. F. No. 717. The motion prevailed.

Tjornhom moved that the name of Heap be stricken and the name of Ogren be added as an author on H. F. No. 730. The motion prevailed.

Brinkman moved that the name of Neuenschwander be added as an author on H. F. No. 733. The motion prevailed.

Marsh moved that the names of Tjornhom and Clausnitzer be added as authors on H. F. No. 766. The motion prevailed.

Rest moved that the name of Anderson, G., be added as an author on H. F. No. 772. The motion prevailed.

Onnen moved that the name of Pappas be added as an author on H. F. No. 780. The motion prevailed.

Kiffmeyer moved that the name of Osthoff be added as an author on H. F. No. 802. The motion prevailed.

Kelly moved that the name of Clark be added as an author on H. F. No. 806. The motion prevailed.

Solberg moved that the name of Neuenschwander be added as an author on H. F. No. 821. The motion prevailed.

Krueger moved that the name of Sparby be added as an author on H. F. No. 829. The motion prevailed.

Kelly moved that the name of Clark be added as an author on H. F. No. 834. The motion prevailed.

Cohen moved that the name of Pappas be added as an author on H. F. No. 836. The motion prevailed.

Halberg moved that the name of Sparby be added as an author on H. F. No. 837. The motion prevailed.

Fjoslien moved that the name of Clark be added as an author on H. F. No. 840. The motion prevailed.

Segal moved that H. F. No. 811 be recalled from the Committee on Local and Urban Affairs and be re-referred to the Committee on Education. The motion prevailed.

Solberg moved that H. F. No. 618 be recalled from the Committee on General Legislation and Veterans Affairs and be re-referred to the Committee on Agriculture. The motion prevailed.

Backlund moved that H. F. No. 791 be recalled from the Committee on Governmental Operations and be re-referred to the Committee on Regulated Industries and Energy. The motion prevailed.

Gruenes moved that H. F. No. 303 be returned to its author. The motion prevailed.

Jennings, L., moved that H. F. No. 318 be returned to its author. The motion prevailed.

Wenzel; McDonald; Rees; Anderson, G., and Krueger introduced:

House Resolution No. 13, A house resolution expressing the sense of the Minnesota House of Representatives that the director of the Office of Management and Budget, David Stockman, should be fired.

SUSPENSION OF RULES

Wenzel moved that the rules be so far suspended that House Resolution No. 13 be now considered and be placed upon its adoption.

A roll call was requested and properly seconded.

The question was taken on the Wenzel motion and the roll was called. There were 43 yeas and 64 nays as follows:

Those who voted in the affirmative were:

Anderson, G.	Jacobs	Nelson, D.	Piper	Staten
Battaglia	Jaros	Nelson, K.	Price	Tomlinson
Beard	Jennings, L.	Neuenschwander	Riveness	Tunheim
Begich	Kalis	Norton	Rodosovich	Vanasek
Clark	Krueger	Ogren	Sarna	Welle
Cohen	Long	Olson, E.	Schoenfeld	Wenzel
Elioff	McEachern	Otis	Simoneau	Wynia
Ellingson	McLaughlin	Pappas	Solberg	
Greenfield	Munger	Peterson	Sparby	

Those who voted in the negative were:

Anderson, R.	Erickson	Kiffmeyer	Omann	Sherman
Backlund	Fjoslien	Knickerbocker	Onnen	Stanis
Becklin	Forsythe	Kostohryz	Ozment	Sviggum
Bennett	Frederick	Levi	Pauly	Thiede
Boerboom	Frederickson	Lieder	Piepho	Thorson
Burger	Frerichs	Marsh	Quinn	Tjornhom
Carlson, D.	Gruenes	McDonald	Quist	Tompkins
Carlson, J.	Halberg	McKasy	Redalen	Uphus
Clausnitzer	Hartinger	McPherson	Rees	Valento
Dempsey	Hartle	Miller	Richter	Waltman
DenOuden	Haukoos	Murphy	Schafer	Zaffke
Dimler	Himle	O'Connor	Seaberg	Spk. Jennings, D.
Dyke	Johnson	Olsen, S.	Shaver	

The motion did not prevail.

House Resolution No. 13 was referred to the Committee on Budget.

Halberg introduced:

House Resolution No. 14, A house resolution congratulating the hockey team and the swimming and diving team from Burnsville High School for winning both the State High School Hockey Championship and the State High School Swimming and Diving Championship.

SUSPENSION OF RULES

Halberg moved that the rules be so far suspended that House Resolution No. 14 be now considered and be placed upon its adoption. The motion prevailed.

HOUSE RESOLUTION NO. 14

A house resolution congratulating the hockey team and the swimming and diving team from Burnsville High School for winning both the State High School Hockey Championship and the State High School Swimming and Diving Championship.

Whereas, competitive sports in our high schools are helpful in teaching the principles of sportsmanship and fair play to our

high school students, thereby contributing to better citizenship; and

Whereas, high school sports promote vigorous good health of the participants; and

Whereas, the Hockey and Swimming and Diving teams from Burnsville High School participated in the State Championships as one of the few teams from among the 151 teams that originally participated in hockey and 111 that originally participated in swimming and diving; and

Whereas, both the hockey and swimming teams made outstanding and determined efforts to win their tournaments during the weekend of March 7 to 9, 1985; and

Whereas, both the hockey and swimming and diving teams won the State Championships; and

Whereas, the teams also finished the year with an outstanding win-loss record; and

Whereas, Burnsville High School's players and fans have exhibited outstanding sportsmanship, skill, and desire throughout the season;

Now, Therefore, Be It Resolved by the House of Representatives of the State of Minnesota that congratulations are extended to the hockey and swimming and diving teams of Burnsville High School on the accomplishments, skill, and determination of their hockey and swimming and diving teams. In particular, congratulations are extended to the following team members, coaches, and managers:

Burnsville Hockey Team

Lance Werness

Mike Luckraft

Kevin Schrader

Herm Finnegan

John Borrell

Kelly Ramswick

Kevin Featherstone

Mike Travalent

Mike Mageau

Kurt Hammond

Scott Bloom

Burnsville Swim Team

Seniors

Alex Beuchel

Ralph Hoppe

Paul Jensen

Matt Johnson

John Schmeling

Steve Thompson

Juniors

Don Appleby

John Bordi

Bret Busse

Matt Larson

Steve Treichel

Steve Ferrera

Don Granato

Kevin Gorg

Scott Branson

Scott Schulze

Mark Osiecki

Greg Gelineau

Tom Osiecki, Head Coach

Bruce Anderson, Assistant Coach

Steve Kisch, Student Manager

Paul Lewis, Student Manager

Mark Carlson

Kirt Dordan

David Snapko

John Wright

Sophomores

Michael Clausen

Brian MacRae

Dave Marshall

Brian Sakowicz

Jon-Michael VanDerWege

Steve Varney

Arti Vogt

Freshmen

Erick Hoffman

David Hover

Rob Marshall

Coaches

Dennis Dale

Nancy Gould

Mark Roefler

Student Managers

Tina Tribilcock

Marita Endersen

Be It Further Resolved that the Chief Clerk of the House of Representatives is instructed to prepare an enrolled copy of this resolution, to be authenticated by his signature and that of the Speaker, and transmit it to the principal of Burnsville High School.

Halberg moved that House Resolution No. 14 be now adopted. The motion prevailed and House Resolution No. 14 was adopted.

Levi introduced:

House Resolution No. 15, A house resolution congratulating the Mahtomedi High School Zephyrs for winning first place in the Class A Minnesota State Gymnastics Championship.

The resolution was referred to the Committee on Education.

Neuenschwander introduced:

House Concurrent Resolution No. 5, A house concurrent resolution commending Larry Ross upon his retirement after 31 years as hockey coach at International Falls High School.

The concurrent resolution was referred to the Committee on Education.

Halberg moved that the names of Dimler and Seaberg be added as authors on House Resolution No. 14. The motion prevailed.

POINT OF ORDER

Levi raised a point of order pursuant to section 114 of "Mason's Manual of Legislative Procedure" relating to the procedure on asking questions. The Speaker ruled the point of order well taken.

ADJOURNMENT

Levi moved that when the House adjourns today it adjourn until 2:00 p.m., Monday, March 18, 1985. The motion prevailed.

Levi moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 2:00 p.m., Monday, March 18, 1985.

EDWARD A. BURDICK, Chief Clerk, House of Representatives