

STATE OF MINNESOTA

SEVENTY-FOURTH SESSION - 1985

FIFTY-SIXTH DAY

• SAINT PAUL, MINNESOTA, THURSDAY, MAY 9, 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 Oliver Sandahl, Willmar Baptist Church, Willmar, Minnesota.

The roll was called and the following members were present:

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

A quorum was present.

Lieder and Rees were excused.

The Chief Clerk proceeded to read the Journal of the preceding day. Schafer 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. 587, 883, 1581, 1633 and 1627 and S. F. Nos. 352, 1431 and 966 have been placed in the members' files.

S. F. No. 352 and H. F. No. 323, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

SUSPENSION OF RULES

McKasy moved that the rules be so far suspended that S. F. No. 352 be substituted for H. F. No. 323 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 966 and H. F. No. 1541, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

SUSPENSION OF RULES

Riveness moved that the rules be so far suspended that S. F. No. 966 be substituted for H. F. No. 1541 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 GOVERNOR
SAINT PAUL 55155

May 6, 1985

The Honorable David M. Jennings
Speaker of the House
The State of Minnesota

Dear Sir:

I have the honor of informing you that I have received, approved, signed and deposited in the Office of the Secretary of State the following House Files:

H. F. No. 1065, relating to local government; permitting the municipal board to require meetings to discuss disputed issues; amending Minnesota Statutes 1984, section 414.01, by adding a subdivision.

H. F. No. 204, relating to higher education; creating a student advisory council to the higher education coordinating board; requiring, as nearly as possible, one-sixth of the terms of voting members of the higher education coordinating board to expire each year; amending Minnesota Statutes 1984, section 136A.02, subdivisions 1 and 1a, and by adding a subdivision.

H. F. No. 468, relating to state departments and agencies; clarifying the duties of the state demographer; amending Minnesota Statutes 1984, sections 275.14; 368.01, subdivision 1a; and 368.015.

H. F. No. 1, relating to local government; establishing a procedure to consolidate the cities of International Falls and South International Falls; authorizing a special mill levy in the event of consolidation.

H. F. No. 951, relating to the Minnesota historical society; authorizing local heritage preservation commissions; amending Minnesota Statutes 1984, section 471.193.

H. F. No. 656, relating to local government; allowing for an increase in the appropriation a county may make for a county humane society in any year; authorizing the Otter Tail county board to adopt an ordinance for the control of dogs and cats; amending Minnesota Statutes 1984, section 343.11.

H. F. No. 863, 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.

H. F. No. 230, relating to state lands; authorizing the sale of certain surplus state land in Dakota county to the city of Hastings.

H. F. No. 1570, relating to agriculture; creating an exception to the corporate farming law; amending Minnesota Statutes 1984, section 500.24, subdivision 3.

H. F. No. 94, relating to agriculture; changing certain soil and water conservation priorities; amending Minnesota Statutes 1984, section 40.036, subdivisions 1 and 3; repealing Minnesota Statutes 1984, sections 40.036, subdivisions 4, 5, and 6; and 40.038, subdivision 1.

H. F. No. 507, relating to Hennepin county; setting the form in which county board members' salaries must be stated; amending Laws 1982, chapter 577, section 14.

H. F. No. 982, relating to veterans; providing space in the veterans service building for certain veterans organizations; amending Minnesota Statutes 1984, section 197.59.

H. F. No. 247, relating to local government; providing conditions for the adoption or amendment of comprehensive municipal plans; providing for resolution of conflicts between a zoning ordinance and the comprehensive municipal plan; amending Minnesota Statutes 1984, sections 462.355, subdivisions 2 and 3; 462.357, subdivision 2; and 473.858, subdivision 1.

H. F. No. 759, relating to elections; changing certain procedures and deadlines related to absentee ballots; changing the municipal election filing deadline; amending Minnesota Statutes 1984, sections 203B.17, subdivision 2; 203B.21, subdivision 3; 204B.35, subdivision 4; and 205.13, subdivision 1.

H. F. No. 825, relating to occupations and professions; regulating electricians; amending Minnesota Statutes 1984, sections 326.01, subdivisions 2, 5, 6b, and by adding a subdivision; 326.242, subdivisions 1, 2, 3, 6, and 9; 326.243; 326.244, subdivisions 1, 2, and 5; and 326.246.

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

H. F. No. 580, relating to economic development; providing for the election of certain community development corporation directors; amending Minnesota Statutes 1984, section 116M.04, subdivision 6.

H. F. No. 565, relating to soil and water conservation; changing powers and duties of the state board; amending Minnesota Statutes 1984, section 40.03, subdivision 4.

H. F. No. 454, 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.

H. F. No. 698, relating to intoxicating liquor; authorizing the city of North Mankato to issue one short-term, on-sale liquor license.

H. F. No. 256, relating to motor vehicles; defining terms; regulating van-type motor homes; amending Minnesota Statutes 1984, sections 168.011, subdivision 25, and by adding subdivisions; and 168.27, subdivisions 2 and 10.

H. F. No. 831, relating to crimes; prescribing the powers of the governor and commissioner of corrections with respect to extradition under treaty; amending Minnesota Statutes 1984, section 243.515.

H. F. No. 730, relating to petroleum products; setting standards for heating fuel, diesel fuel, and kerosene; providing testing authority for the weights and measures division of the department of public service; amending Minnesota Statutes 1984, sections 296.01, subdivision 4, and by adding subdivisions; and 296.05, subdivisions 2 and 4; repealing Minnesota Statutes 1984, section 296.05, subdivision 3a.

Sincerely,

RUDY PERPICH
Governor

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

May 6, 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>
	1	58	May 6	May 6
	94	59	May 6	May 6
	204	60	May 6	May 6
	230	61	May 6	May 6
	247	62	May 6	May 6
	256	63	May 6	May 6
	454	64	May 6	May 6

<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>
	468	65	May 6	May 6
	507	66	May 6	May 6
	565	67	May 6	May 6
	580	68	May 6	May 6
	656	69	May 6	May 6
	698	70	May 6	May 6
	730	71	May 6	May 6
	759	72	May 6	May 6
	825	73	May 6	May 6
	831	74	May 6	May 6
	852	75	May 6	May 6
	863	76	May 6	May 6
	951	77	May 6	May 6
	982	78	May 6	May 6
	1065	79	May 6	May 6
	1570	80	May 6	May 6

Sincerely,

JOAN ANDERSON GROWE
Secretary of State

REPORTS OF STANDING COMMITTEES

Forsythe from the Committee on Appropriations to which was referred:

H. F. No. 376, A bill for an act relating to state departments and agencies; regulating initial fees and fee adjustments for agency services; amending Minnesota Statutes 1984, sections 16A.128; and 16A.1281.

Reported the same back with the following amendments:

Page 1, line 22, delete "*directly*"

With the recommendation that when so amended the bill pass.

The report was adopted.

Forsythe from the Committee on Appropriations to which was referred:

H. F. No. 827, A bill for an act relating to public safety; appropriating money to purchase mobile communications equipment for state patrol.

Reported the same back with the following amendments:

Page 1, line 19, delete "*general*" and insert "*trunk highway*"

With the recommendation that when so amended the bill pass.

The report was adopted.

Forsythe from the Committee on Appropriations to which was referred:

H. F. No. 1070, A bill for an act relating to occupations and professions; requiring the commissioner of corrections to establish a program to prevent sexual exploitation by psychotherapists; extending the sexual exploitation task force; appropriating money; amending Laws 1984, chapter 631, section 1, subdivision 4; proposing coding for new law in Minnesota Statutes, chapter 241.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1984, section 241.021, is amended by adding a subdivision to read:

Subd. 6. [BACKGROUND STUDIES.] The commissioner of corrections is authorized to do background studies on personnel employed by any facility serving children or youth that is licensed under this section. A clerk of any court, the bureau of criminal apprehension, a prosecuting attorney, a county sheriff, or a chief of a local police department shall assist in these studies by providing to the commissioner, or the commissioner's representative, all criminal conviction data available

from local, state, and national criminal history record repositories, including the criminal justice data communications network, pertaining to the following individuals: applicants, operators, all persons living in the household, and all staff of any facility subject to background studies under this subdivision.

Sec. 2. [241.80] [PREVENTION OF SEXUAL EXPLOITATION BY PSYCHOTHERAPISTS.]

The commissioner of corrections shall establish, as part of the program for victims of sexual assault, a program of public and professional education concerning sexual exploitation by psychotherapists. To the extent of available appropriations, the commissioner shall, in consultation with the task force established in Laws 1984, chapter 631:

(1) develop policy and procedure models and materials for use by professionals, professional organizations, educational institutions, and employers and supervisors;

(2) develop education and training programs for professionals, professional organizations, educational institutions, and employers and supervisors;

(3) collect and distribute information on the problem of sexual exploitation by psychotherapists;

(4) develop manuals, brochures, and other informational materials for distribution to the public, professionals and professional organizations, educational institutions, and employers and supervisors;

(5) educate participants in the administrative, civil, and criminal complaint systems on the laws concerning sexual exploitation, the rights of victims, and other matters;

(6) provide information and referral services, and facilitate advocacy, crisis intervention, and other assistance to victims of sexual exploitation through existing programs, including the state sexual assault network;

(7) develop a statement of the rights of psychotherapy clients, relating to sexual exploitation, which could be included in existing bills of rights;

(8) promote public awareness of the problem of sexual exploitation and the rights of psychotherapy clients; and

(9) provide recommendations to the legislature concerning the need for services or legislation.

At the request of the legislature, the commissioner shall report on the problem of sexual exploitation by psychotherapists and the activities of the department under this section.

Sec. 3. Laws 1984, chapter 631, section 1, subdivision 1, is amended to read:

Subdivision 1. [CREATION; MEMBERSHIP.] The commissioner of corrections shall appoint a task force to study the problem of sexual exploitation by counselors and therapists. The task force shall consist of not more than 18 members who are broadly representative of the state, including representatives of professional organizations, board of medical examiners, board of psychology, and board of nursing, agencies and individuals offering counseling or therapy services, the legal community, appropriate state agencies, women's organizations, mental health advocacy organizations, men's organizations, and consumers. The terms, compensation, and removal of members are as provided in section 15.059, *except that members shall be reimbursed for expenses at the discretion of the commissioner within the limits of available appropriations.*

Sec. 4. Laws 1984, chapter 631, section 1, subdivision 4, is amended to read:

Subd. 4. [EXPIRATION.] The task force expires on July 1, (1985) 1986.

Sec. 5. [TASK FORCE TO STUDY THE REGULATION OF PSYCHOTHERAPISTS.]

Subdivision 1. [TASK FORCE ESTABLISHED.] *An advisory task force is created to study and report to the commissioner of health and the legislature on the need for licensing or regulation of currently unregulated occupations, professions, and individuals engaging in psychotherapy. The task force shall consist of no more than 16 members, including a psychologist appointed by the board of psychology, a nurse appointed by the board of nursing, a psychiatrist appointed by the board of medical examiners, and the following members appointed by the commissioner of health:*

- (1) *a social worker;*
- (2) *a chemical dependency counselor;*
- (3) *a marriage and family therapist;*
- (4) *a counselor;*
- (5) *two public members knowledgeable about psychotherapy or the regulation of occupations and professions; and*

(6) up to seven additional members who have knowledge and expertise in the procedures and issues related to the regulation of occupations and professions.

The task force shall report its findings and recommendations to the commissioner of health and the legislature by June 30, 1986. In addition to addressing the criteria for regulation specified in Minnesota Statutes, section 214.001, subdivision 2, and other matters the task force considers appropriate, the report must address (a) the need to create consequences for psychotherapists who exploit, mistreat, or otherwise harm a client, including consequences that are directly related to their practice of psychotherapy including prohibitions of the right to practice; and (b) the need for a system of redress with the state, for victims of misconduct by psychotherapists, that is directly related to the psychotherapist's practice.

Sec. 6. [EXPIRATION.]

The advisory task force created by section 5 shall expire on July 1, 1986."

Delete the title and insert:

"A bill for an act relating to corrections; authorizing the commissioner of corrections to do background studies on personnel employed by certain licensed facilities; requiring the commissioner of corrections to establish a program to prevent sexual exploitation by psychotherapists; extending the sexual exploitation task force; creating an advisory task force to study the regulation of psychotherapists; amending Minnesota Statutes 1984, section 241.021, by adding a subdivision; Laws 1984, chapter 631, section 1, subdivisions 1 and 4; proposing coding for new law in Minnesota Statutes, chapter 241."

With the recommendation that when so amended the bill pass.

The report was adopted.

Forsythe from the Committee on Appropriations to which was referred:

H. F. No. 1243, A bill for an act relating to the Minnesota historical society; requiring it to develop instructional materials on Minnesota history; proposing coding for new law in Minnesota Statutes, chapter 126.

Reported the same back with the following amendments:

Page 1, line 11, after "history" insert "and government"

Page 1, line 17, delete "6" and insert "3"

Pages 1 and 2, delete section 3

Page 2, line 10, delete the third "*the*"

Page 2, line 11, after "*materials*" insert "*on Minnesota history for students at the appropriate grade level*"

Page 2, delete sections 5 and 6

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 4, after "*history*" insert "*and government*"

With the recommendation that when so amended the bill pass.

The report was adopted.

Forsythe from the Committee on Appropriations to which was referred:

H. F. No. 1253, A bill for an act relating to state lands; conveying land to Olmsted county.

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

The report was adopted.

Forsythe from the Committee on Appropriations to which was referred:

H. F. No. 1256, A bill for an act relating to natural resources; altering certain provisions regarding water permit fees; amending Minnesota Statutes 1984, section 105.44, subdivision 10.

Reported the same back with the following amendments:

Page 1, after line 7, insert:

"Section 1. Minnesota Statutes 1984, section 105.41, subdivision 5, is amended to read:

Subd. 5. Records of the amount of water appropriated or used shall be recorded for each such installation and such readings and the total amount of water appropriated shall be reported annually to the commissioner of natural resources on or

before February 15 of the following year upon forms to be supplied by the commissioner.

The records shall be submitted with an annual water appropriation processing fee in the amount established in accordance with the following schedule of fees for each water appropriation permit in force at any time during the year: (a) irrigation permits, (\$10) \$15 for (EACH) *the first permitted (40) 160 acres or portion thereof, and \$25 for each additional permitted 160 acres or portion thereof*; (b) for nonirrigation permits, \$5 for each ten million gallons or portion thereof permitted each year (, BUT NOT TO). *However, in no case shall the fee exceed a total (FEE) of (\$250) \$500 per permit.* The fee is payable regardless of the amount of water appropriated during the year. Failure to pay the fee is sufficient cause for revoking a permit. No fee may be imposed on any state agency, as defined in section 16B.01, or federal governmental agency holding a water appropriation permit."

Page 1, line 15, delete "*transfer*" and insert "*transfer*"

Page 2, line 2, after "\$750" insert "*to cover actual costs*"

Renumber the section accordingly

Amend the title as follows:

Page 1, line 3, after "permit" insert "and annual water appropriation processing"

Page 1, line 4, delete "section" and insert "sections 105.41, subdivision 5; and"

With the recommendation that when so amended the bill pass.

The report was adopted.

Forsythe from the Committee on Appropriations to which was referred:

H. F. No. 1359, A bill for an act relating to state government; providing for indemnification of judges and employees of the legislative and judicial branches from tort, civil, or equitable claims; preserving immunities; amending Minnesota Statutes 1984, sections 3.732, subdivision 1; and 3.736, subdivisions 1 and 9.

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

The report was adopted.

Forsythe from the Committee on Appropriations to which was referred:

H. F. No. 1552, A bill for an act relating to taxation; 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; amending Minnesota Statutes 1984, sections 273.136, subdivisions 1, 2, and 4; 287.05, subdivision 1; 287.08; 287.09; 287.12; 287.21, subdivision 2; 287.23; 287.25; 287.28; 287.29, subdivision 1; 287.33; 287.35; 298.225; 298.24, subdivision 4; 298.27; 298.28, subdivisions 1 and 2; and 298.282, subdivisions 1, 4, and 5; repealing Minnesota Statutes 1984, sections 273.136, subdivision 3; 287.27; 287.29, subdivision 3; and 287.32.

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

The report was adopted.

Forsythe from the Committee on Appropriations to which was referred:

S. F. No. 125, A bill for an act relating to labor; changing the definition of plumber's apprentice for the purpose of employment licensing; requiring the registration of plumber's apprentices; amending Minnesota Statutes 1984, section 326.01, subdivision 9; proposing coding for new law in Minnesota Statutes, chapter 326.

Reported the same back with the following amendments:

Page 2, line 3, after the period insert "*Up to 24 months of practical plumbing experience prior to registration as an apprentice may be applied to the four-year experience requirement. However, none of this practical plumbing experience may be applied if the person did not have any practical plumbing experience in the 12-month period immediately prior to registration. The commissioner may adopt rules to evaluate whether the person's past practical plumbing experience is applicable in preparing for the journeyman's examination.*"

With the recommendation that when so amended the bill pass.

The report was adopted.

Forsythe from the Committee on Appropriations to which was referred:

S. F. No. 1320, A bill for an act relating to health; establishing a system of regional poison information centers; providing for

less frequent program reporting; rescinding permission for poison control centers to contract with centers in other states; amending Minnesota Statutes 1984, section 145.93, subdivisions 1, 3, 4, and 6; repealing Minnesota Statutes 1984, section 145.93, subdivision 5.

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

The report was adopted.

Forsythe from the Committee on Appropriations to which was referred:

S. F. No. 1374, A bill for an act relating to state parks; establishing lease rate for a certain part of Fort Snelling state park.

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

The report was adopted.

SECOND READING OF HOUSE BILLS

H. F. Nos. 376, 827, 1070, 1243, 1253, 1256, 1359 and 1552 were read for the second time.

SECOND READING OF SENATE BILLS

S. F. Nos. 352, 966, 125, 1320 and 1374 were read for the second time.

INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

Dempsey, Marsh, McDonald, Miller and Kiffmeyer introduced:

H. F. No. 1660, A bill for an act relating to crimes; redefining the "claim of right" defense to criminal trespass; amending Minnesota Statutes 1984, section 609.605.

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

Segal and Onnen introduced:

H. F. No. 1661, A bill for an act relating to human services; requiring the commissioner to develop a process for quality of care evaluation of facilities for adult mentally ill persons; requiring a report; amending Minnesota Statutes 1984, section 245.783.

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

Metzen introduced:

H. F. No. 1662, A bill for an act relating to contracts; providing for payments from contractors to subcontractors; amending Minnesota Statutes 1984, sections 337.01, subdivision 1; 337.03; 337.04; 337.05, subdivision 1; and 337.06; proposing coding for new law in Minnesota Statutes, chapter 337.

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

Dempsey, Valento, Dimler, Piepho and Quist introduced:

H. F. No. 1663, A bill for an act relating to crimes; repealing the "claim of right" defense to criminal trespass; amending Minnesota Statutes 1984, section 609.605.

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

Redalen, Bishop, Piper and Begich introduced:

H. F. No. 1664, A bill for an act relating to local government; regulating contracts for the purchase of fuel by a municipality required for generation of municipal power; amending Minnesota Statutes 1984, section 471.345, by adding a subdivision.

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

Erickson, Gutknecht, Waltman, Dyke and Poppenhagen introduced:

H. F. No. 1665, A bill for an act relating to workers' compensation; providing for comprehensive changes based on the Florida law; proposing coding for new law as Minnesota Statutes, chapter 176B; repealing Minnesota Statutes 1984, chapter 176, as amended.

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

HOUSE ADVISORIES

The following House Advisory was introduced:

DenOuden, Miller, Rose, Knickerbocker and Kalis introduced:

H. A. No. 42, A proposal to study the functions and duties of the agencies of state government that deal with water resources.

The advisory was referred to the Committee on Appropriations.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker:

I hereby announce that the Senate has concurred in and adopted the report of the Conference Committee on:

H. F. No. 1382, A bill for an act relating to courts; providing for transcript fees; amending Minnesota Statutes 1984, section 486.06.

The Senate has repassed said bill in accordance with the recommendation and report of the Conference Committee. Said House File is herewith returned to the House.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

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

H. F. No. 88, A bill for an act relating to education; providing for aids to education, aids to libraries, state payments for teacher retirement contributions, and the distribution of tax revenues; granting certain powers and duties to school boards, school districts, the state board of education, the board of teaching, and the higher education coordinating board; modifying certain components of foundation aid; modifying the basic maintenance mill rate; modifying computation of pupil units; repealing revenue equity; modifying the computation of summer program aid, transportation aid, special education aid, secondary vocational aid, and other aids; establishing an aid and levy formula for excellence in teaching and curriculum; providing for a temporary definition of school bus; providing for measurement of pupil progress; establishing mastery learning pilot projects; requiring state board of teaching to field test plans for assessment of new teachers; appropriating money; amending Minnesota Statutes 1984, sections 120.06, subdivision 1; 120.10, subdivision 1; 120.11; 120.15; 120.17, subdivision 3, and by adding a subdivision; 121.88; 121.882, subdivision 2, and by adding a subdivision; 121.904, subdivisions 4a and 4c; 121.912, subdivision 1; 122.86, subdivision 1; 123.33, by adding a subdivision; 123.36, subdivision 1; 123.58, by adding a subdivision; 123.705, subdivision 1; 123.742, subdivision 7, and by adding subdivisions; 123.7431, subdivision 1; 124.09; 124.14, subdivision 4; 124.17, by adding subdivisions; 124.19, subdivision 1; 124.195, subdivision 9; 124.2138, subdivision 2; 124.223; 124.225, subdivisions 1, 3, 4b, 7a, 7b, 8a, 8b, and 10; 124.246, subdivision 2; 124.247, subdivision 3; 124.26, subdivisions 1 and 6; 124.271, subdivision 2b, and by adding a subdivision; 124.2711, subdivision 1; 124.272, subdivision 3; 124.273, subdivision 1b; 124.32, subdivisions 1b, 1d, 2, 5, and 10; 124.48, by adding a subdivision; 124.573, subdivision 2; 124.574, subdivision 2b; 124.646, subdivision 1; 124A.02, subdivisions 6, 7, 8, 9, 16, and by adding a subdivision; 124A.03, subdivisions 3, 4, and by adding a subdivision; 124A.033, subdivisions 2 and 3, and by adding a subdivision; 124A.037; 124A.06, subdivisions 1 and 3a; 124A.08, subdivisions 3a and 5; 124A.10, subdivision 3a; 124A.12, subdivision 3a; 124A.14, subdivision 5a; 124A.16, subdivisions 2 and 4; 125.05, subdivisions 1 and 5; 125.12, by adding a subdivision; 125.17, by adding a subdivision; 125.185, subdivision 4; 125.60, subdivisions 3 and 7; 126.64, subdivision 2; 129B.17; 129B.20; 129B.21; 129B.35; 129B.36; 129B.38, subdivision 1; 129B.39; 129B.40; 134.31, subdivisions 2 and 3; 134.35; 134.351, subdivision 1; 136D.27; 136D.74, subdivision 2; 136D.87; 275.125, subdivisions 5b, 5d, 8, 8a, and 8b, and by adding subdivisions; 290.06, by adding a subdivision; 298.28, subdivision 1; 354.06, subdivision 1; 354.43, subdivision 3; 354A.12, subdivision 2; 355.208; 355.209; 355.287; 355.288; 355.46, subdivision 3; and Laws 1973, chapter 683, section 26, subdivision 17, as amended; Laws 1984, chapter 463, article 9, section 9; proposing coding for new law in Minnesota Statutes, chapters 121; 123; 124; 124A; 126; 129B; 134; and 136A; repealing Minnesota Statutes 1984, sections 120.17, subdivision 1a; 120.172, subdivision 3; 122.84;

122.85; 122.89; 123.3511; 123.3512; 123.3513; 124.201, subdivisions 3, 4, and 5; 124.2138, subdivision 2; 124.225, subdivisions 4a, 8c, 8d, 8e, 8f, 8g, and 8h; 124.247, subdivision 6; 124.271, subdivisions 2 and 2a; 124.273, subdivisions 2b and 5; 124.32, subdivision 9a; 124A.03, subdivision 5; 124A.035, subdivision 6; 124A.037; 125.611, subdivisions 3, 4, 5, 6, and 7; 126.64, subdivision 1; 129B.03; 129B.33; 129B.34; 275.125, subdivision 2j; 354.43, subdivisions 1, 4, and 5; 354A.12, subdivision 3; 355.46, subdivisions 1, 2, and 5; and 355.47.

The Senate has appointed as such Committee Messrs. Nelson; Pehler; Peterson, R. W.; Ms. Peterson, D. C., and Mr. Peterson, D. L.

Said House File is herewith returned to the House.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

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

H. F. No. 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 Senate has appointed as such Committee Ms. Berglin, Messrs. Spear and Johnson, D. E.

Said House File is herewith returned to the House.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

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

H. F. No. 227, A bill for an act relating to horse racing; providing for racing days at county fairs; amending Minnesota Statutes 1984, section 240.14, subdivision 3.

The Senate has appointed as such Committee Messrs. Dicklich, Dieterich and Benson.

Said House File is herewith returned to the House.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

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

H. F. No. 674, A bill for an act relating to human services; adoption; regulating adoptions by relatives; providing for procedural changes; amending Minnesota Statutes 1984, sections 259.21, by adding a subdivision; and 259.23, subdivisions 1 and 2; 259.27, subdivision 1; repealing Minnesota Statutes 1984, section 259.27, subdivision 2.

The Senate has appointed as such Committee Ms. Berglin, Messrs. Spear and Johnson, D. E.

Said House File is herewith returned to the House.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

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

H. F. No. 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 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, chapter 379; repealing Minnesota Statutes 1984, section 375.18, subdivisions 4, 5, and 6.

The Senate has appointed as such Committee Messrs. Bertram, DeCramer and Isackson.

Said House File is herewith returned to the House.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce that the Senate accedes to the request of the House for the appointment of a Conference Committee on

the amendments adopted by the Senate to the following House File:

H. F. No. 1037, A bill for an act relating to utilities; exempting small, qualifying energy facilities from the certificate of need process; amending Minnesota Statutes 1984, section 216B.243, subdivision 8.

The Senate has appointed as such Committee Messrs. Vega; Moe, D. M., and Frederickson.

Said House File is herewith returned to the House.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

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

H. F. No. 1639, A bill for an act relating to state government; appropriating money to the department of transportation and other agencies with certain conditions; modifying agencies and responsibilities; providing for regulation of certain activities and practices; prescribing funds, accounts, bonding, and fees; amending Minnesota Statutes 1984, sections 15.0591, subdivision 2; 17.101, subdivision 2; 17.717, by adding a subdivision; 17A.10, subdivision 2; 17A.11; 25.39, subdivision 4; 138.94; 168.12, subdivisions 1 and 5; 174.32, subdivisions 1, 2, 3, and by adding a subdivision; 299A.01, subdivision 6; 340.14, subdivision 2; 349.12, subdivisions 11, 13, and by adding subdivisions; 349.14; 349.151; 349.16; 349.161; 349.162; 349.17; 349.18, subdivisions 1 and 2; 349.19, subdivisions 5, 6, and by adding a subdivision; 349.20; 349.21; 349.211, subdivisions 3 and 4; 349.213, subdivision 1; 349.214, subdivisions 1 and 2; 349.22, subdivision 2; 349.31, subdivision 1; 352D.02, subdivision 1; 360.024; 473.373, subdivision 4; 473.375, subdivision 4, and by adding a subdivision; 473.38, subdivision 2; 473.384, subdivision 6; 473.386, subdivision 2; 473.388; 473.39; 473.404, subdivision 7; 473.405, subdivision 12; 473.408, subdivision 4, and by adding a subdivision; 473.435, subdivision 2; 473.446, subdivisions 1, 1a, 2a, and 3; 609.75, subdivision 3; 609.761; proposing coding for new law in Minnesota Statutes, chapters 219; and 473; proposing coding for new law as Minnesota Statutes, chapter 297C; repealing Minnesota Statutes 1984, sections 17.717, subdivision 6; 349.19, subdivision 4; 349.212; 349.213, subdivision 2; 473.373, subdivisions 2 and 7; 473.384, subdivision 7; 473.408, subdivisions 3, 3A, 3B, and 5; 473.436; 473.438; and 473.446, subdivision 6.

The Senate has appointed as such Committee Mr. Langseth, Mrs. Lantry, Messrs. Purfeerst, Schmitz and Mehrkens.

Said House File is herewith returned to the House.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

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

H. F. No. 231, A bill for an act relating to St. Louis county; authorizing a private sale of certain tax-forfeited land.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Boo moved that the House concur in the Senate amendments to H. F. No. 231 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 231, A bill for an act relating to local government; authorizing the city of Carlton to issue general obligation bonds to finance the acquisition and betterment of a new fire hall; permitting participation by other local government units; providing for the debt limit of the city of McGregor; requiring land within the Fond du Lac Indian reservation to be offered for sale to the Fond du Lac band; authorizing a private sale of certain tax-forfeited land in St. Louis county; authorizing the city of Thomson to levy in excess of its per capita limitation for 1985.

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

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

Those who voted in the affirmative were:

Anderson, G.	Brandl	Cohen	Forsythe	Heap
Anderson, R.	Brinkman	Dempsey	Frederick	Himle
Battaglia	Brown	DenOuden	Frederickson	Jacobs
Becklin	Burger	Dimler	Frerichs	Jaros
Begich	Carlson, D.	Dyke	Greenfield	Jennings, L.
Bennett	Carlson, J.	Elioff	Gruenes	Johnson
Bla'z	Carlson, L.	Ellingson	Gutknecht	Kahn
Boerboom	Clark	Erickson	Hartle	Kalis
Boo	Clausnitzer	Fjoslien	Haukoos	Kelly

Kiffmeyer	Nelson, D.	Poppenhagen	Segal	Valan
Knickerbocker	Neuenschwander	Price	Shaver	Valento
Knuth	Norton	Quist	Sherman	Vanasek
Kvam	O'Connor	Redalen	Simoneau	Vellenga
Levi	Olson, E.	Rest	Skoglund	Voss
Long	Omann	Richter	Solberg	Waltman
McDonald	Onnen	Riveness	Sparby	Welle
McEachern	Osthoff	Rodosovich	Stanis	Wenzel
McLaughlin	Otis	Rose	Svigum	Wynia
McPherson	Ozment	Sarna	Thorson	Zaffke
Metzen	Pappas	Schafer	Tjornhom	Spk. Jennings, D.
Miller	Pauly	Scheid	Tomlinson	
Minne	Peterson	Schoenfeld	Tompkins	
Munger	Piepho	Schreiber	Tunheim	
Murphy	Piper	Seaberg	Uphus	

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

Mr. Speaker:

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

H. F. No. 191, A bill for an act relating to local and state government; requiring prompt payment of local government bills; amending Minnesota Statutes 1984, section 16A.124, subdivisions 1, 5, and 8, and by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 471.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Piepho moved that the House concur in the Senate amendments to H. F. No. 191 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 191, A bill for an act relating to local and state government; requiring prompt payment of local government bills; amending Minnesota Statutes 1984, section 16A.124, subdivisions 1, 5, and 8, and by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 471.

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

The question was taken on the repassage of the bill and the roll was called. There were 111 yeas and 2 nays as follows:

Those who voted in the affirmative were:

Anderson, G.	Becklin	Blatz	Brandl	Burger
Anderson, R.	Begich	Boerboom	Brinkman	Carlson, D.
Battaglia	Bishop	Boo	Brown	Carlson, J.

Carlson, L.	Jacobs	Munger	Quist	Tjornhom
Clark	Jaros	Murphy	Redalen	Tomlinson
Clausnitzer	Jennings, L.	Nelson, D.	Rest	Tompkins
Cohen	Johnson	Neuenschwander	Richter	Tunheim
Dempsey	Kahn	Norton	Riveness	Uphus
DenOuden	Kalis	O'Connor	Rodosovich	Valan
Dyke	Kiffmeyer	Olson, E.	Rose	Valento
Elioff	Knickerbocker	Omann	Sarna	Vanasek
Erickson	Knuth	Onnen	Schafer	Vellienga
Fjoslien	Kvam	Osthoff	Scheid	Voss
Forsythe	Levi	Otis	Schoenfeld	Waltman
Frederick	Long	Ozment	Seaberg	Welle
Frederickson	Marsh	Pappas	Shaver	Wenzel
Frerichs	McEachern	Pauly	Sherman	Wynia
Gruenes	McKasy	Peterson	Simoneau	Zaffke
Gutknecht	McLaughlin	Piepho	Skoglund	Spk. Jennings, D.
Hartle	McPherson	Piper	Solberg	
Haukoos	Metzen	Poppenhagen	Stanis	
Heap	Miller	Price	Sviggum	
Himle	Minne	Quinn	Thorson	

Those who voted in the negative were :

Bennett Dimler

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

Mr. Speaker :

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

H. F. No. 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 second and third degrees and negligent fires; prescribing penalties; amending Minnesota Statutes 1934, sections 299F.08, by adding a subdivision; 609.562; 609.563; and 609.576; proposing coding for new law in Minnesota Statutes, chapter 609.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Seaberg moved that the House concur in the Senate amendments to H. F. No. 374 and that the bill be repassed as amended by the Senate. The motion prevailed.

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 second and third degrees and negligent fires; prescribing penalties; amending Minnesota Statutes 1984, sections 299F.03, by adding a subdivision; 609.562; 609.563; and 609.576; proposing coding for new law in Minnesota Statutes, chapter 609.

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

The question was taken on the repassage of the bill and the roll was called. There were 120 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

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

Mr. Speaker:

I hereby announce that the Senate refuses to concur in the House amendment to:

S. F. No. 1525, A bill for an act relating to the organization and operation of state government; authorizing cost containment programs in medical assistance and general assistance medical care programs; establishing a permanency planning program for children at risk of out-of-home placement; appropriating money for human services, corrections, health, and other purposes with certain conditions; amending Minnesota Statutes 1984, sections 62D.12, by adding a subdivision; 62E.06, subdivision 1; 129A.03; 214.06, subdivision 1; 241.01, subdivision 7; 241.71; 252.025, subdivision 1; 254.05; 256.045, subdivision 3,

and by adding a subdivision; 256.737; 256.82, subdivision 2; 256.87, subdivision 1; 256.969, subdivisions 1, 2, and by adding a subdivision; 256B.02, by adding a subdivision; 256B.04, subdivision 14; 256B.062; 256B.19, subdivision 1; 256B.48, by adding a subdivision; 256B.69, subdivision 4; 256D.01, subdivisions 1a and 1b; 256D.03, subdivisions 4 and 6; 256D.37, subdivisions 1 and 2; 256E.08, subdivision 1; 260.311, subdivision 5; 260.38; 268.38, subdivisions 2, 10, and 11; 268.685; 290.089, subdivision 2; 363.03, by adding a subdivision; 390.11, by adding a subdivision; 393.07, subdivision 2; 401.01, subdivision 1; 401.13; 517.08, subdivisions 1b and 1c; 611A.22; and 611A.34, subdivision 1; Laws 1984, chapter 616, section 1; proposing coding for new law in Minnesota Statutes, chapters 62A; 144; 256; and 256B; proposing coding for new law as Minnesota Statutes, chapter 256F; repealing Minnesota Statutes 1984, sections 256.045, subdivision 2; 256.966, subdivision 2; 256.967; 259.405; and 268.686.

And the Senate respectfully requests that a Conference Committee be appointed thereon. The Senate has appointed as such committee Messrs. Samuelson, Knutson, Solon, Spear and Ms. Berglin.

Said Senate File is herewith transmitted to the House with the request that the House appoint a like committee.

PATRICK E. FLAHAVEN, Secretary of the Senate

Anderson, R., moved that the House accede to the request of the Senate and that the Speaker appoint a Conference Committee of 5 members of the House to meet with a like committee appointed by the Senate on the disagreeing votes of the two houses on S. F. No. 1525. The motion prevailed.

Mr. Speaker:

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

S. F. No. 1219.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

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

S. F. No. 1429.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

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

S. F. Nos. 295 and 879.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

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

S. F. Nos. 31, 567 and 1159.

PATRICK E. FLAHAVEN, Secretary of the Senate

FIRST READING OF SENATE BILLS

S. F. No. 1219, A bill for an act relating to natural resources; making groundwater protection a watershed district purpose; establishing a procedure for increasing the number of watershed district managers; defining certain proceedings as contested cases; providing a procedure for noncontroversial proceedings; providing for appeals; amending Minnesota Statutes 1984, sections 112.36, subdivision 2; 112.37, subdivision 1a; 112.401; and 473.882, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 112; repealing Minnesota Statutes 1984, section 112.37, subdivision 6.

The bill was read for the first time.

Waltman moved that S. F. No. 1219 and H. F. No. 1279, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 1429, A bill for an act relating to state government; providing for indemnification of judges and employees of the legislative and judicial branches from tort, civil, or equitable claims; preserving immunities; amending Minnesota Statutes 1984, sections 3.732, subdivision 1; and 3.736, subdivisions 1 and 9.

The bill was read for the first time.

Bishop moved that S. F. No. 1429 and H. F. No. 1359, now on Technical General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 295, A bill for an act relating to counties; authorizing a special levy for county agricultural society and park and recreation purposes for Hubbard county; authorizing a special levy for support of the Clearwater county hospital; authorizing a special levy for tourism and agriculture promotion in Cass county; requiring a reverse referendum under certain circumstances; increasing the amount of loans available to certain counties for design and construction costs of district heating and qualified energy improvements; allowing municipalities to accelerate repayment of principal of energy loans; authorizing county regulation of pawnbrokers, second-hand, and junk dealers; designating Hubbard county as a fiscal agent; amending Minnesota Statutes 1984, section 116J.36, subdivision 6; proposing coding for new law in Minnesota Statutes, chapter 471.

The bill was read for the first time.

Zaffke moved that S. F. No. 295 and H. F. No. 757, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 879, A bill for an act relating to economic development; adding definitions to the Minnesota energy and economic development authority law; clarifying purposes of the economic development fund; adding development power and authority; restricting the duties of the energy and economic development authority and enlarging the duties of the commissioner of energy and economic development; extending the life of the Minnesota manufacturing growth council; amending Minnesota Statutes 1984, sections 116J.58, subdivision 1; 116M.03, subdivisions 10, 11, 13, and by adding subdivisions; 116M.04, subdivision 1; 116M.06, subdivisions 2, 4, and 11; 116M.07, subdivisions 1, 2, 11, 12, and by adding subdivisions; 116M.08, subdivisions 11, 13, 16, 19, 20, and by adding subdivisions; 474.01, subdivisions 6, 7b, 8, and 11; and Laws 1984, chapter 654, article 2, section 151, subdivision 5.

The bill was read for the first time.

Heap moved that S. F. No. 879 and H. F. No. 1080, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 31, A bill for an act relating to motorboat safety; requiring liability insurance on watercraft; strengthening prohibitions and penalties regarding operation of motorboat while under the influence of alcohol or a controlled substance; providing a penalty; amending Minnesota Statutes 1984, sections 361.02, subdivision 9; 361.03, by adding subdivisions; and 361.12; proposing coding for new law in Minnesota Statutes, chapter 361.

The bill was read for the first time.

Blatz moved that S. F. No. 31 and H. F. No. 456, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 567, A bill for an act relating to real property; changing notice period required for cancellation of contract for deed; designating vendor's attorney as an agent; eliminating the mortgage registration tax on contracts for deed; extending the provisions authorizing courts to approve postponements of mortgage foreclosure and contract for deed terminations and making them permanent law in certain cases; abolishing certain exclusionary provisions; clarifying certain provisions; amending Minnesota Statutes 1984, sections 47.20, subdivision 15; 559.21, subdivisions 3, 4, and 6, and by adding subdivisions; 580.031; 583.02; 583.03; 583.04; 583.05; 583.07; and 583.10; repealing Minnesota Statutes 1984, sections 287.02; and 559.21, subdivisions 1, 1a, and 2; and Laws 1983, chapter 215, section 16, as amended.

The bill was read for the first time.

Halberg moved that S. F. No. 567 and H. F. No. 601, now on Special Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 1159, 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.

Heap moved that S. F. No. 1159 and H. F. No. 916, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

The Speaker called Halberg to the Chair.

CONSIDERATION UNDER RULE 1.10

Pursuant to rule 1.10, Schreiber requested immediate consideration of H. F. Nos. 1596, 1623 and 1627.

H. F. No. 1596, A bill for an act relating to taxation; sales tax; providing for elimination of double taxation in sale and leaseback transactions; appropriating money; amending Minnesota Statutes 1984, sections 297A.01, subdivision 4; and 297A.15, by adding a subdivision.

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

The question was taken on the passage of the bill and the roll was called. There were 119 yeas and 1 nay as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Riveness

The bill was passed and its title agreed to.

Backlund was excused while in conference.

H. F. No. 1623 was reported to the House.

Redalen moved to amend H. F. No. 1623, the first engrossment, as follows:

Page 3, line 22, after "Association" insert "*or the Arabian Horse Registry of America, Inc. or the Appaloosa Horse Club, Inc. or the Half-Arabian Registry and Anglo-Arab Registry or the American Paint Horse Association*"

The motion prevailed and the amendment was adopted.

H. F. No. 1623, A bill for an act relating to taxation; limiting tax on certain sales of horses; amending Minnesota Statutes 1984, section 297A.01, subdivision 3.

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

The question was taken on the passage of the bill and the roll was called. There were 69 yeas and 53 nays as follows:

Those who voted in the affirmative were:

Anderson, R.	Dimler	Jacobs	Olson, E.	Shaver
Backlund	Dyke	Jaros	Omann	Sparby
Beard	Erickson	Jennings, L.	Onnen	Stanias
Becklin	Fjoslien	Johnson	Ozment	Sviggunn
Bennett	Frederick	Kiffmeyer	Pauly	Thiede
Bishop	Frederickson	Knickerbocker	Piepho	Thorson
Blatz	Frerichs	Kvam	Poppenhagen	Tompkins
Boerboom	Gruenes	Levi	Quist	Uphus
Boo	Gutknecht	Marsh	Redalen	Valan
Carlson, D.	Halberg	McDonald	Richter	Valento
Carlson, J.	Hartinger	McPherson	Rose	Waltman
Clausnitzer	Hartle	Metzen	Schafer	Wenzel
Cohen	Haukoos	Miller	Schoenfeld	Zaffke
Dempsey	Heap	Olsen, S.	Seaberg	

Those who voted in the negative were:

Anderson, G.	Greenfield	Munger	Peterson	Skoglund
Battaglia	Kahn	Murphy	Piper	Solberg
Begich	Kalis	Nelson, D.	Price	Staten
Brandl	Kelly	Nelson, K.	Rest	Tjornhom
Brinkman	Knuth	Neuenschwander	Rice	Tomlinson
Brown	Kostohryz	Norton	Riveness	Tunheim
Burger	Krueger	O'Connor	Rodosovich	Voss
Carlson, L.	Long	Ogren	Sarna	Welle
Clark	McEachern	Osthoff	Scheid	Wynia
DenOuden	McLaughlin	Otis	Segal	
Elioff	Minne	Pappas	Simoneau	

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

H. F. No. 1627, A bill for an act relating to taxation; property; clarifying the process for appealing certain assessments to the tax or district court; delaying the effective date of the requirement of appearances before county board of equalization for tax appeals; amending Minnesota Statutes 1984, sections 271.01, subdivision 5; and 278.01, subdivision 1; Laws 1984, chapter 502, article 11, section 6.

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

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

Those who voted in the affirmative were:

Anderson, G.	Battaglia	Begich	Blatz	Brinkman
Anderson, R.	Beard	Bennett	Boerboom	Burger
Backlund	Becklin	Bishop	Brandl	Carlson, D.

Carlson, J.	Haukoos	Metzen	Piper	Stanius
Carlson, L.	Heap	Miller	Poppenhagen	Svigum
Clark	Himle	Minne	Price	Thiede
Clausnitzer	Jacobs	Munger	Quist	Thorson
Cohen	Jaros	Murphy	Redalen	Tjornhom
Dempsey	Jennings, L.	Nelson, D.	Rest	Tomlinson
DenOuden	Johnson	Nelson, K.	Rice	Tompkins
Dimler	Kahn	Neuenschwander	Richter	Tunheim
Dyke	Kalis	Norton	Riveness	Uphus
Elioff	Kelly	O'Connor	Rodosovich	Valan
Ellingson	Kiffmeyer	Ogren	Rose	Valento
Erickson	Knickerbocker	Olsen, S.	Sarna	Vanasek
Fjoslien	Knuth	Olson, E.	Schafer	Vellenga
Frederick	Kostohryz	Omann	Scheid	Voss
Frederickson	Kvam	Onnen	Schoenfeld	Waltman
Frerichs	Levi	Osthoft	Seaberg	Welle
Greenfield	Long	Otis	Segal	Wenzel
Gruenes	Marsh	Ozment	Shaver	Wynia
Gutknecht	McDonald	Pappas	Simoneau	
Halberg	McEachern	Pauly	Skoglund	
Hartinger	McLaughlin	Peterson	Solberg	
Hartle	McPherson	Piepho	Sparby	

The bill was passed and its title agreed to.

SPECIAL ORDERS

S. F. No. 563 was reported to the House.

Heap moved to amend S. F. No. 563, as follows:

Page 4, after line 10, insert:

“Sec. 9. [ADOPTED EMERGENCY RULES.]

The emergency rules promulgated pursuant to Laws 1984, chapter 654, article 4, section 3, and adopted by the higher education coordinating board on March 21, 1985, are effective April 29, 1985, without further administrative action. Students may borrow retroactively under these rules to cover educational expenses incurred during the 1984-1985 academic year. These emergency rules shall expire on the date that emergency rules adopted by the board under the administrative procedure act are effective or on June 30, 1985, whichever occurs first.”

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 6, before “amending” insert “validating certain adopted emergency rules;”

The motion prevailed and the amendment was adopted.

S. F. No. 563, A bill for an act relating to education; requiring the state board of vocational technical education to adopt policies about minimum class size and placement ratios; exempting certain monetary distributions from certain contract procedures; amending Minnesota Statutes 1984, sections 123.33, subdivision 14; 125.031; 136C.04, subdivisions 9 and 12; 136C.042, subdivision 1; 136C.26, subdivision 1; 136C.28, subdivision 1; and 136C.31; repealing Minnesota Statutes 1984, sections 125.055 and 136C.27, subdivision 1.

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

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

Those who voted in the affirmative were:

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

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

S. F. No. 5 was reported to the House.

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.	Becklin	Boerboom	Burger	Clausnitzer
Backlund	Begich	Boo	Carlson, J.	Cohen
Battaglia	Bennett	Brandl	Carlson, L.	Dempsey
Beard	Blatz	Brinkman	Clark	DenOuden

Dyke	Jaros	Metzen	Price	Thorson
Elioff	Johnson	Miller	Quinn	Tjornhom
Ellingson	Kahn	Murphy	Redalen	Tompkins
Erickson	Kalis	Nelson, D.	Rest	Tunheim
Fjoslien	Keliy	Neuenschwander	Richter	Uphus
Forsythe	Kiffmeyer	O'Connor	Riveness	Valento
Frederick	Knickerbocker	Ogren	Rodosovich	Vanasek
Frederickson	Knuth	Olsen, S.	Rose	Vellenga
Frerichs	Kostohryz	Olson, E.	Sarna	Voss
Greenfield	Krueger	Omann	Schafer	Waltman
Gruenes	Kvam	Onnen	Scheid	Welle
Gutknecht	Levi	Osihoff	Segal	Wenzel
Halberg	Long	Otis	Shaver	Wynia
Hartinger	Marsh	Ozment	Simoneau	Zaffke
Hartle	McDonald	Pappas	Skoglund	Spk. Jennings, D.
Haukoos	McEachern	Peterson	Stanius	
Heap	McKasy	Piepho	Staten	
Himle	McLaughlin	Piper	Svigum	
Jacobs	McPherson	Poppenhagen	Thiede	

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.

Schafer moved to amend S. F. No. 5, as follows:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1984, section 124.246, subdivision 2, is amended to read:

Subd. 2. [AID.] An eligible district shall receive \$1.04 in fiscal year 1984 and \$1.08 in fiscal (YEAR) *years 1985, 1986 and 1987* for each pupil, in average daily membership, enrolled in a public elementary, secondary or area vocational-technical or nonpublic elementary or secondary school. Aid for nonpublic school pupils shall be paid to the district upon request by or on behalf of the pupils. No district shall receive less than \$1,040 in fiscal year 1984 and \$1,080 in fiscal (YEAR) *years 1985, 1986 and 1987*.

Sec. 2. Minnesota Statutes 1984, section 171.06, subdivision 3, is amended to read:

Subd. 3. [CONTENTS OF APPLICATION.] Every application shall state the full name, date of birth, sex and residence address of the applicant, a description of the applicant in such manner as the commissioner may require, and shall state whether or not the applicant has theretofore been licensed as a driver; and, if so, when and by what state or country and whether any such license has ever been suspended or revoked, or whether an application has ever been refused; and, if so, the date of and reason for such suspension, revocation, or refusal, together with such facts pertaining to the applicant and his ability to operate a motor vehicle with safety as may be required by the commis-

sioner. The application form shall contain a notification to the applicant of the availability of the donor document provided pursuant to section 171.07, subdivision 5, and shall contain spaces where the applicant must indicate a desire to receive or not to receive the donor document. The application shall be in the form prepared by the commissioner.

The application form must contain a presentation of relevant facts relating to:

- (1) the effect of alcohol on driving ability;*
- (2) the effect of mixing alcohol with drugs;*
- (3) the laws of Minnesota relating to operation of a motor vehicle while under the influence of alcohol or a controlled substance;*
- (4) The levels of alcohol-related fatalities and accidents in Minnesota, and of arrests for alcohol-related violations.*

The application must also contain a statement, signed by the applicant, to the effect that the applicant has read and understands the presentation.

Sec. 3. Minnesota Statutes 1984, section 171.13, is amended by adding a subdivision to read:

Subd. 1b. [DRIVERS MANUAL.] The commissioner shall prepare, and include in the drivers manual published by the department, a chapter relating to the effect of alcohol consumption on highway safety and on the ability of drivers safely to operate motor vehicles, and summarizing the laws of Minnesota on operating a motor vehicle while under the influence of alcohol or a controlled substance.

Sec. 4. Minnesota Statutes 1984, section 340.02, subdivision 8, is amended to read:

Subd. 8. [PERSONS ELIGIBLE.] Licenses hereunder shall be issued only to persons who are citizens of the United States or resident aliens, who are of good moral character and repute, who have attained the age of (19) 21 years and who are proprietors of the establishments for which the licenses are issued.

Sec. 5. Minnesota Statutes 1984, section 340.035, subdivision 1, is amended to read:

Subdivision 1. It is unlawful for any:

(1) licensee or his employee to permit any person under the age of (19) 21 years to consume nonintoxicating malt liquor on the licensed premises;

(2) person other than the parent or legal guardian to procure nonintoxicating malt liquor for any person under the age of (19) 21 years;

(3) person to induce a person under the age of (19) 21 years to purchase or procure nonintoxicating malt liquor.

Sec. 6. Minnesota Statutes 1984, section 340.119, subdivision 2, is amended to read:

Subd. 2. A bottle club may allow members to bring and keep a personal supply of intoxicating liquors in lockers assigned to such members. A bottle club or any unincorporated society which shall have more than 50 members and which shall have, for more than a year, owned, hired, or leased space in a building of such extent and character as may be suitable and adequate for reasonable and comfortable accommodations for its members, may allow members to bring and keep a personal supply of intoxicating liquors in lockers assigned to such members. Every bottle, container, or other receptacle containing intoxicating liquor stored by members shall have attached to it a label signed by the member of the club. All liquor on the premises of the club shall be labeled as herein required, and any not being actually used or consumed by the owner thereof shall be kept in a locker designated to the use of such member. It shall be unlawful for any club member under (19) 21 years of age to be assigned a locker for the storage of intoxicating liquor, or to consume or display or be permitted to consume or display intoxicating liquor on any premises owned or controlled by such private club.

Sec. 7. Minnesota Statutes 1984, section 340.13, subdivision 12, is amended to read:

Subd. 12. [LICENSES; PERSONS ELIGIBLE.] No license shall be issued to a person other than a citizen of the United States or resident alien, (19) 21 years of age or over, who shall be of good moral character and repute; nor to any person who within five years prior to the application for the license has been convicted of any willful violation of any law of the United States or the state of Minnesota or of any local ordinance with regard to the manufacture, sale, distribution, or possession for sale or distribution of intoxicating liquor; nor to any person whose license under the Intoxicating Liquor Act is revoked for a willful violation of any of those laws or ordinances.

Sec. 8. Minnesota Statutes 1984, section 340.14, subdivision 1a, is amended to read:

Subd. 1a. [PERSONS DENIED ACCESS.] No intoxicating liquor shall be sold, furnished, or delivered for any purpose to any (MINOR) *person under the age of 21 years* or to any person obviously intoxicated or to any of the persons to whom sale is prohibited by statute.

Sec. 9. Minnesota Statutes 1984, section 340.15, is amended by adding a subdivision to read:

Subd. 1a. No manufacturer, wholesaler, or retailer of alcoholic beverages, whether holding a license in Minnesota or not, may conduct, sponsor, or contribute financially to events or activities which:

(a) are held on the campuses or other property of a post-secondary institution of learning, and

(b) involve as a part thereof the consumption or sale of alcoholic beverages.

Sec. 10. Minnesota Statutes 1984, section 340.403, subdivision 3, is amended to read:

Subd. 3. [LICENSE GRANTED.] Upon the filing of an application, the approval of the bond, and the payment of the license fee, the commissioner shall grant the license unless it appears that the applicant: (1) is not a citizen of the United States or resident alien; or (2) is not (19) 21 years of age or over; or (3) has been convicted of a felony under the laws of this state; or (4) has had his license revoked within a period of one year prior to the filing of his application; or (5) has not been a resident of Minnesota or has not been qualified as a corporation to do business in Minnesota for more than 90 days prior to application. In the event the applicant is a corporation its managing officers must possess the qualifications stated in clauses (1), (2), (3), and (4).

No wholesale malt beverage license shall be granted to any person unless he has within the state of Minnesota warehouse space either owned or leased by him and has adequate delivery facilities to perform the function of wholesaling malt beverages. However, the requirements of this subdivision as to residence and warehouse space shall not apply to any wholesaler in an adjoining state that permits Minnesota resident licensees to deliver malt beverages to retailers without warehousing in that state or to any wholesaler in an adjoining state delivering malt beverages manufactured in Minnesota.

Sec. 11. Minnesota Statutes 1984, section 340.73, subdivision 1, is amended to read:

Subdivision 1. It is unlawful for any person, except a licensed pharmacist to sell, give, barter, furnish, deliver, or dispose of, in

any manner, either directly or indirectly, any intoxicating liquors or nonintoxicating malt liquors in any quantity, for any purpose, to any person under the age of (19) 21 years, or to any obviously intoxicated person.

Sec. 12. Minnesota Statutes 1984, section 340.73, subdivision 3, is amended to read:

Subd. 3. Whoever in any way procures intoxicating liquor or nonintoxicating malt liquor for the use of any person named in this section shall be deemed to have sold it to that person. Any person violating any of the provisions of this section is guilty of a gross misdemeanor, *except that a first violation of this section is a misdemeanor in any instance where the person for whom the liquor was procured was of the age of 19 or 20 years.*

Sec. 13. Minnesota Statutes 1984, section 340.731, is amended to read:

340.731 [PERSONS UNDER (19) 21 YEARS, FORBIDDEN ACTS OR STATEMENTS.]

It shall be unlawful for (1) a person under the age of (19) 21 years to enter any premises licensed for the retail sale of alcoholic beverages or any municipal liquor store for the purpose of purchasing, or having served or delivered to him or her, any alcoholic beverage containing more than one-half of one percent of alcohol by volume; or

(2) a person under the age of (19) 21 years to purchase, attempt to purchase or have another purchase for him or her any intoxicating liquor or nonintoxicating malt liquor; or

(3) any person to misrepresent or misstate his or her age, or the age of any other person for the purpose of inducing any licensee or any employee of any licensee, or any employee of any municipal liquor store, to sell, serve or deliver any alcoholic beverage to a person under the age of (19) 21 years; or

(4) a person under the age of (19) 21 years to have in his or her possession any intoxicating liquor or non-intoxicating malt liquor, with intent to consume same at a place other than the household of his or her parent or guardian. Possession of such intoxicating liquor or nonintoxicating malt liquor at a place other than the household of his or her parent or guardian shall be prima facie evidence of intent to consume the same at a place other than the household of his or her parent or guardian; or

(5) a person under the age of (19) 21 years to consume any intoxicating liquor or nonintoxicating malt liquor unless in the household of his or her parent or guardian and with the consent of his or her parent or guardian.

Sec. 14. Minnesota Statutes 1984, section 340.732, is amended to read:

340.732 [VIOLATIONS, PENALTIES.]

Any person who violates any provision of section 340.731 is guilty of a misdemeanor, *except that a first violation by a person of the age of 19 or 20 years is a petty misdemeanor.*

In addition, any person under the age of 19 years who is convicted of purchasing or attempting to purchase an alcoholic beverage in violation of section 340.731 shall have his or her driver's license or permit to drive revoked by the commissioner of public safety for a period of 30 days if the person used a driver's license or permit to purchase or attempt to purchase the alcoholic beverage.

Sec. 15. Minnesota Statutes 1984, section 340.80, is amended to read:

340.80 [INDUCING CERTAIN PERSONS TO ENTER LIQUOR ESTABLISHMENTS; PENALTY.]

Any person who shall assist, procure or induce any person under the age of (19) 21 years or other person to whom the sale of liquor is by law forbidden, to enter or visit any saloon, bar, buffet or public drinking place for the purpose of obtaining intoxicating liquors, is guilty of a gross misdemeanor; and, upon conviction, punished therefor according to the laws of the state.

Sec. 16. [REPEALER.]

Minnesota Statutes 1984, section 340.79, is repealed.

Sec. 17. [EFFECTIVE DATE.]

Sections 4 and 10 are effective July 1, 1985. The remaining sections of this act are effective September 1, 1986."

Delete the title and insert:

"A bill for an act relating to alcoholic beverages; increasing the age for licensing, sale, consumption, possession, and furnishing; restricting certain promotion; establishing programs for the prevention of alcohol-impaired driving among young drivers and for education on avoidable health risks; extending authorization for chemical use programs in schools; providing penalties; amending Minnesota Statutes 1984, sections 124.246, subdivision 2; 171.06, subdivision 3; 171.13, by adding a subdivision; 340.02, subdivision 8; 340.035, subdivision 1; 340.119, subdivision 2; 340.13, subdivision 12; 340.14, subdivision 1a; 340.15, by adding a subdivision; 340.403,

subdivision 3; 340.73, subdivisions 1 and 3; 340.731; 340.732; and 340.80; repealing Minnesota Statutes 1984, section 340.79."

A roll call was requested and properly seconded.

The Speaker resumed the Chair.

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

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

There were 78 yeas and 50 nays as follows:

Those who voted in the affirmative were:

Anderson, R.	Dimler	Himle	Olson, E.	Shaver
Backlund	Dyke	Johnson	Onnen	Sviggum
Battaglia	Ellingson	Kalis	Otis	Thiede
Becklin	Erickson	Kelly	Ozment	Thorson
Bennett	Fjoslien	Kiffmeyer	Pappas	Tjornhom
Blatz	Forsythe	Knickerbocker	Pauly	Tomlinson
Boerboom	Frederick	Krueger	Piepho	Tompkins
Boo	Frederickson	Kvam	Poppenhagen	Uphus
Burger	Frerichs	Levi	Quist	Valan
Carlson, D.	Gruenes	Marsh	Redalen	Valento
Carlson, J.	Gutknecht	McDonald	Rest	Vellenga
Carlson, L.	Halberg	McKasy	Richter	Waltman
Clausnitzer	Hartinger	McPherson	Schafer	Zaffke
Cohen	Hartle	Miller	Schoenfeld	Spk. Jennings, D.
Dempsey	Haukoos	Nelson, D.	Schreiber	
DenOuden	Heap	Olsen, S.	Scaberg	

Those who voted in the negative were:

Anderson, G.	Jennings, L.	Nelson, K.	Quinn	Solberg
Beard	Kahn	Neuenschwander	Rice	Sparby
Bishop	Knuth	Norton	Riveness	Stanius
Brandl	Kostohryz	O'Connor	Rodosovich	Staten
Brinkman	Long	Ogren	Rose	Tunheim
Brown	McEachern	Omann	Sarna	Vanasek
Clark	McLaughlin	Osthoff	Scheid	Voss
Greenfield	Metzen	Peterson	Segal	Welle
Jacobs	Munger	Piper	Sherman	Wenzel
Jaros	Murphy	Price	Simoneau	Wynia

The motion prevailed and the amendment was adopted.

Schafer moved to amend S. F. No. 5, as amended, as follows:

Page 1, delete section 1

Page 7, line 30, delete "4" and insert "3" and delete "10" and insert "9"

ReNUMBER the sections in sequence

Amend the title as follows:

Page 1, line 10, delete "124.246, subdivision 2;"

A roll call was requested and properly seconded.

POINT OF ORDER

Staten raised a point of order pursuant to rule 3.4 that the Schafer amendment was not in order. The Speaker ruled the Staten point of order not well taken and the Schafer amendment in order.

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

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

There were 66 yeas and 65 nays as follows:

Those who voted in the affirmative were:

Anderson, R.	Dimler	Heap	Ozment	Thiede
Backlund	Dyke	Himle	Pauly	Thorson
Battaglia	Erickson	Johnson	Piepho	Tjornhom
Becklin	Fjoslien	Kiffmeyer	Poppenhagen	Tompkins
Bennett	Forsythe	Knickerbocker	Quist	Uphus
Blatz	Frederick	Kvam	Redalen	Valan
Boerboom	Frederickson	Levi	Richter	Valento
Boo	Frerichs	Marsh	Rose	Waltman
Burger	Gruenes	McDonald	Schafer	Zaffke
Carlson, D.	Gutknecht	McKasy	Schreiber	Spk. Jennings, D.
Carlson, J.	Halberg	McPherson	Seaberg	
Clausnitzer	Hartinger	Miller	Shaver	
Dempsey	Hartle	Olsen, S.	Stanius	
DenOuden	Haukoos	Onnen	Svigum	

Those who voted in the negative were:

Anderson, G.	Jacobs	Minne	Pappas	Sherman
Beard	Jaros	Munger	Peterson	Simoneau
Begich	Jennings, L.	Murphy	Piper	Skoglund
Bishop	Kahn	Nelson, D.	Price	Solberg
Brandl	Kalis	Nelson, K.	Quinn	Sparby
Brinkman	Kelly	Neuenschwander	Rest	Staten
Brown	Knuth	Norton	Rice	Tomlinson
Carlson, L.	Kostohryz	O'Connor	Riveness	Tunheim
Clark	Krueger	Ogren	Rodosovich	Vanasek
Cohen	Long	Olson, E.	Sarna	Voss
Elioff	McEachern	Omann	Scheid	Welle
Ellingson	McLaughlin	Osthoff	Schoenfeld	Wenzel
Greenfield	Metzen	Otis	Segal	Wynia

The motion prevailed and the amendment was adopted.

Bishop moved to amend S. F. No. 5, as amended, as follows:

Page 7, delete lines 30 and 31 and insert *"This act is effective October 1, 1986 and expires October 1, 1988. Section 340.79, is revived on October 1, 1988 notwithstanding section 645.36."*

A roll call was requested and properly seconded.

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

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

There were 55 yeas and 70 nays as follows:

Those who voted in the affirmative were:

Anderson, G.	Gruenes	Neuenschwander	Piper	Skoglund
Beard	Jacobs	Norton	Quinn	Solberg
Begich	Jaros	O'Connor	Rice	Sparby
Bishop	Jennings, L.	Ogren	Riveness	Staten
Boerboom	Kahn	Olsen, S.	Rodosovich	Tunheim
Brandl	Knuth	Olson, E.	Rose	Vanasek
Brinkman	Long	Omman	Scheid	Vellenga
Clark	McLaughlin	Osthoff	Schoenfeld	Voss
Dempsey	Miller	Pappas	Segal	Weile
Frerichs	Minne	Peterson	Sherman	Wenzel
Greenfield	Munger	Piepho	Simoneau	Wynia

Those who voted in the negative were:

Backlund	Dimler	Himle	Nelson, D.	Shaver
Battaglia	Dyke	Johnson	Onnen	Stanisus
Becklin	Elioff	Kalis	Ois	Sviggunn
Bennett	Ellingson	Kelly	Ozment	Thiede
Blatz	Erickson	Kiffmeyer	Pauly	Thorson
Boo	Fjoslien	Knickerbocker	Poppenhagen	Tjornhom
Brown	Forsythe	Krueger	Price	Tomlinson
Burger	Frederick	Levi	Quist	Tompkins
Carlson, D.	Frederickson	Marsh	Redalen	Uphus
Carlson, J.	Gutknecht	McDonald	Rest	Valan
Carlson, L.	Hartinger	McKasy	Richter	Valento
Clausnitzer	Hartle	McPherson	Schafer	Waltman
Cohen	Haukoos	Metzen	Schreiber	Zaffke
DenOuden	Heap	Murphy	Seaberg	Spk. Jennings, D.

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

Clark was excused between the hours of 4:40 p.m. and 5:30 p.m.

Valento moved to amend S. F. No. 5, as amended, as follows:

Page 7, delete lines 30 and 31 and insert: *"Sections 1, 2, and 8 are effective July 1, 1985. The remaining sections of this act*

are effective September 30, 1986; except that if any state bordering Minnesota has not raised its minimum drinking age for intoxicating liquor to 21 by September 30, 1986, these sections shall not become effective."

A roll call was requested and properly seconded.

Nelson, D., moved to amend the Valento amendment to S. F. No. 5, as amended, as follows:

Page 1, line 5, delete "any" and insert "Wisconsin"

Page 1, line 6, delete "state bordering Minnesota has" and insert "does"

Page 1, line 6, delete "raised" and insert "raise"

Page 1, line 7, delete "by September 30, 1986," and insert "effective on or before July 1, 1987"

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

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

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

There were 76 yeas and 54 nays as follows:

Those who voted in the affirmative were:

Anderson, G.	Himle	Minne	Quinn	Staten
Begich	Jacobs	Munger	Rice	Sviggum
Bennett	Jaros	Murphy	Riveness	Thorson
Bishop	Jennings, L.	Neuenschwander	Rodosovich	Tunheim
Boerboom	Johnson	Norton	Rose	Uphus
Brandl	Kahn	O'Connor	Sarna	Valento
Brinkman	Knickerbocker	Ogren	Scheid	Vanasek
Brown	Knuth	Olsen, S.	Schoenfeld	Vellenga
Carlson, D.	Kostohryz	Olson, E.	Schreiber	Voss
Dempsey	Levi	Omamn	Shaver	Welle
Frerichs	Long	Osthoff	Sherman	Wenzel
Greenfield	McEachern	Ozment	Simoneau	Wynia
Gruenes	McLaughlin	Pappas	Skoglund	
Halberg	McPherson	Peterson	Solberg	
Hartle	Metzen	Piepho	Sparby	
Heap	Miller	Piper	Stanius	

Those who voted in the negative were:

Anderson, R.	Beard	Boo	Carlson, L.	DenOuden
Backlund	Becklin	Burger	Clausnitzer	Dimler
Battaglia	Blatz	Carlson, J.	Cohen	Dyke

Elioff	Hartinger	McDonald	Price	Tjornhom
Ellingson	Haukoos	McKasy	Quist	Tomlinson
Erickson	Kalis	Nelson, D.	Redalen	Tompkins
Fjoslien	Kelly	Nelson, K.	Rest	Valan
Forsythe	Kiffmeyer	Onnen	Richter	Waltman
Frederick	Krueger	Otis	Schafer	Zaffke
Frederickson	Kvam	Pauly	Seaberg	Spk. Jennings, D.
Gutknecht	Marsh	Poppenhagen	Thiede	

The motion prevailed and the amendment was adopted.

Anderson, G., moved to amend S. F. No. 5, as amended, as follows:

Page 3, delete Sections 4, 5 and 6

Page 4, delete Sections 7 and 8

Page 5, delete Sections 10, 11 and 12

Page 6, delete Section 13

Page 7, delete Sections 14, 15 and 17

Amend the title:

Page 1, delete lines 11, 12 and 13

Page 1, line 14, delete "340.403, subdivision"

Page 1, delete line 15

Page 1, line 16, delete "340.80;"

A roll call was requested and properly seconded.

The Speaker called Halberg to the Chair.

The question was taken on the Anderson, G., amendment and the roll was called.

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

There were 35 yeas and 86 nays as follows:

Those who voted in the affirmative were:

Anderson, G.	Brandl	Greenfield	Jaros	McLaughlin
Begich	Brinkman	Gruenes	Jennings, L.	Miller
Bishop	Clark	Jacobs	Kahn	Minne

Munger	Ogren	Peterson	Rodosovich	Simoneau
Neuenschwander	Omann	Piepho	Sarna	Soiberg
Norton	Osthoff	Quinn	Scheid	Uphus
O'Connor	Pappas	Rice	Sherman	Vanasek

Those who voted in the negative were:

Anderson, R.	Elioff	Kiffmeyer	Onnen	Staten
Backlund	Ellingson	Knickerbocker	Otis	Sviggunn
Battaglia	Erickson	Knuth	Ozment	Thiede
Beard	Fjoslien	Kostohryz	Pauly	Thorson
Becklin	Forsythe	Krueger	Piper	Tjornhom
Bennett	Frederick	Kvam	Poppenhagen	Tomlinson
Blatz	Frederickson	Levi	Price	Tompkins
Boerboom	Frerichs	Long	Quist	Tunheim
Boo	Gutknecht	Marsh	Redalen	Valan
Brown	Halberg	McDonald	Rest	Valento
Burger	Hartinger	McEachern	Richter	Vellenga
Carlson, J.	Hartle	McPherson	Schafer	Voss
Carlson, L.	Haukoos	Metzen	Schreiber	Waltman
Clausnitzer	Heap	Murphy	Seaberg	Zaffke
Cohen	Himle	Nelson, D.	Shaver	
DenOuden	Johnson	Nelson, K.	Skoglund	
Dimler	Kalis	Olsen, S.	Sparby	
Dyke	Kelly	Olson, E.	Stanius	

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

Vanasek, O'Connor and Quinn moved to amend S. F. No. 5, as amended, as follows:

Page 7, after line 26, insert "Sec. 16. [340.99] [MINORS CONVICTIONS NOT PUBLIC.]

The conviction records of a person under 21 years of age for an alcohol related offense shall be private data. The record of the conviction shall be sealed by the court and the conviction may, at the discretion of the court, be expunged from the person's record upon the person reaching the age of 21 years. The trial of the person under the age of 21 for an alcohol related offense shall be closed to the public unless the defendant elects to have it public. This section does not apply to offenses involving the use or operation of a motor vehicle."

Renumber the sections in order

Amend the title accordingly

The motion prevailed and the amendment was adopted.

The Speaker resumed the Chair.

Gruenes moved to amend S. F. No. 5, as amended, as follows:

Page 5, after line 1, insert:

"This subdivision does not affect on-campus, licensed retailers of alcoholic beverages."

The motion prevailed and the amendment was adopted.

Neuenschwander moved to amend S. F. No. 5, as amended by the Valento amendment, as follows:

In the Valento amendment, page 1, line 6, after "state" insert "or Canadian Province"

A roll call was requested and properly seconded.

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

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

There were 37 yeas and 87 nays as follows:

Those who voted in the affirmative were:

Anderson, G.	Jennings, L.	Norton	Piepho	Solberg
Begich	Kahn	O'Connor	Piper	Tunheim
Boerboom	Kalis	Ogren	Quinn	Uphus
Brandl	McKasy	Olson, E.	Rice	Vanasek
Brinkman	McLaughlin	Omann	Scheid	Wenzel
Greenfield	Metzen	Osihoff	Schoenfeld	
Gruenes	Minne	Pappas	Sherman	
Jaros	Neuenschwander	Peterson	Simoneau	

Those who voted in the negative were:

Anderson, R.	Dyke	Kiffmeyer	Ozment	Stanius
Backlund	Elioff	Knuth	Pauly	Staten
Battaglia	Ellingson	Kostohryz	Poppenhagen	Svigum
Beard	Erickson	Krueger	Price	Thiede
Becklin	Fjoslien	Kvam	Quist	Thorson
Bennett	Forsythe	Levi	Redalen	Tjornhom
Bishop	Frederick	Long	Rest	Tomlinson
Blatz	Frederickson	Marsh	Richter	Tompkins
Boo	Frerichs	McDonald	Riveness	Valento
Brown	Gutknecht	McEachern	Rodosovich	Vellenga
Carlson, D.	Halberg	McPherson	Rose	Voss
Carlson, J.	Hartinger	Miller	Sarna	Waltman
Carlson, L.	Hartle	Murphy	Schafer	Welle
Clausnitzer	Haukoos	Nelson, D.	Schreiber	Zaffke
Cohen	Heap	Nelson, K.	Seaberg	Spk. Jennings, D.
Dempsey	Himle	Olsen, S.	Segal	
DenOuden	Jacobs	Onnen	Shaver	
Dimler	Kelly	Otis	Skoglund	

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

Schreiber moved to amend S. F. No. 5, as amended, as follows:

Delete the Valento amendment and insert:

Page 7, delete lines 30 and 31 and insert: "Sections 1, 2, and 8 are effective July 1, 1985. The remaining sections of this act are effective September 1, 1985; except that if any state bordering Minnesota has not raised its minimum drinking age for intoxicating liquor to 21 by September 1, 1985, these sections shall not become effective. For purposes of this act, a person who has reached the age of 19 years by September 1, 1985, is deemed to have reached the age of 21."

A roll call was requested and properly seconded.

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

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

There were 63 yeas and 66 nays as follows:

Those who voted in the affirmative were:

Anderson, G.	Ellingson	Long	Pauly	Solberg
Backlund	Frerichs	McKasy	Peterson	Sparby
Begich	Greenfield	McLaughlin	Piepho	Staten
Bennett	Gruenes	Metzen	Rice	Thorson
Bishop	Hulberg	Miller	Riveness	Tunheim
Blatz	Himle	Minne	Rodosovich	Uphus
Boerboom	Jaros	Munger	Scheid	Vanasek
Boo	Johnson	Neuenschwander	Schoenfeld	Vellenga
Brandl	Kahn	Norton	Schreiber	Voss
Brinkman	Kalis	Olsen, S.	Seaberg	Wenzel
Clark	Knuth	Olson, E.	Shaver	Wynia
Clausnitzer	Kostohryz	Osthoff	Sherman	
Dempsey	Levi	Otis	Simoneau	

Those who voted in the negative were:

Anderson, R.	Fjoslien	Krueger	Poppenhagen	Thiede
Battaglia	Forsythe	Marsh	Price	Tjornhom
Beard	Frederick	McDonald	Quinn	Tomlinson
Becklin	Frederickson	McEachern	Quist	Tompkins
Burger	Gutknecht	McPherson	Redalen	Valan
Carlson, D.	Hartinger	Murphy	Rest	Valento
Carlson, J.	Hartle	Nelson, D.	Richter	Waltman
Carlson, L.	Haukoos	Nelson, K.	Rose	Welle
Cohen	Heap	O'Connor	Sarna	Zaffke
DenOuden	Jacobs	Omann	Schafer	Spk. Jennings, D.
Dimler	Jennings, L.	Onnen	Segal	
Dyke	Kelly	Ozment	Skoglund	
Elioff	Kiffmeyer	Pappas	Stanisus	
Erickson	Knickerbocker	Piper	Swiggum	

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

S. F. No. 5, A bill for an act relating to alcoholic beverages; increasing the age for licensing, sale, purchase, consumption, possession, and furnishing of alcoholic beverages; establishing programs for education on avoidable health risks related to alcohol and other drugs; increasing the fee for the reinstatement of drivers licenses revoked for alcohol-related violations; appropriating money; amending Minnesota Statutes 1984, sections 171.29, subdivision 2; 340.02, subdivision 8; 340.035, subdivision 1; 340.039; 340.119, subdivision 2; 340.13, subdivision 12; 340.403, subdivision 3; 340.73, subdivision 1; 340.731; 340.732; 340.79; and 340.80.

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 89 yeas and 43 nays as follows :

Those who voted in the affirmative were :

Anderson, R.	Elioff	Knickerbocker	Otis	Skoglund
Backlund	Ellingson	Knuth	Ozment	Sparby
Battaglia	Erickson	Kostohryz	Pauly	Stanis
Beard	Fjoslien	Krueger	Peterson	Svigzum
Becklin	Forsythe	Kvam	Piper	Thiede
Bennett	Frederick	Levi	Poppenhagen	Thorson
Blatz	Frederickson	Long	Price	Tjornhom
Boo	Gutknecht	McDonald	Quist	Tompkins
Brown	Halberg	McEachern	Redalen	Tunheim
Burger	Hartinger	McKasy	Rest	Valan
Carlson, D.	Hartle	McPherson	Rice	Valento
Carlson, J.	Haukoos	Metzen	Richter	Vellenga
Carlson, L.	Heap	Murphy	Riveness	Voss
Clausnitzer	Himle	Nelson, D.	Schafer	Waltman
Cohen	Johnson	Nelson, K.	Schreiber	Welle
DenOuden	Kalis	Olsen, S.	Sceaberg	Zaffke
Dimler	Kelly	Olson, E.	Segal	Spk. Jennings, D.
Dyke	Kiffmeyer	Onnen	Shaver	

Those who voted in the negative were :

Anderson, G.	Greenfield	Minne	Piepho	Solberg
Begich	Gruenes	Munger	Quinn	Staten
Bishop	Jacobs	Neuenschwander	Rodosovich	Tomlinson
Boerboom	Jaros	Norton	Rose	Uphus
Brandl	Jennings, L.	O'Connor	Sarna	Vanasek
Brinkman	Kahn	Ogren	Scheid	Wenzel
Clark	Marsh	Omann	Schoenfeld	Wynia
Dempsey	McLaughlin	Osthoft	Sherman	
Frerichs	Miller	Pappas	Simoneau	

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

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

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker:

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

H. F. No. 242, A bill for an act relating to commerce; requiring manufacturers to make certain new motor vehicle warranty disclosures directly to consumers; amending Minnesota Statutes 1984, section 325F.665, subdivision 3.

PATRICK E. FLAHAVEN, Secretary of the Senate

Bennett moved that the House refuse to concur in the Senate amendments to H. F. No. 242, that the Speaker appoint a Conference Committee of 3 members of the House, and that the House requests that a like committee be appointed by the Senate to confer on the disagreeing votes of the two houses. The motion prevailed.

Mr. Speaker:

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

H. F. No. 876, 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.

PATRICK E. FLAHAVEN, Secretary of the Senate

Olsen, S., moved that the House refuse to concur in the Senate amendments to H. F. No. 876, that the Speaker appoint a Conference Committee of 3 members of the House, and that the House requests that a like committee be appointed by the Senate to confer on the disagreeing votes of the two houses. The motion prevailed.

Mr. Speaker:

I hereby announce that the Senate refuses to concur in the House amendment to:

S. F. No. 1523, A bill for an act relating to the organization and operation of state government; appropriating money for education and related purposes to the department of education, higher education coordinating board, state board of vocational technical education, state board for community colleges, state university board, board of regents of the University of Minnesota, the Mayo medical foundation, and the College of Saint Thomas, with certain conditions; providing for state board of education membership and staff assistance, a different source for an annual appropriation, student financial aid, course equivalency, common numbering, general education requirements, fees and licenses, vocational programs and budgets, vocational board policymaking, and emergency rulemaking; amending Minnesota Statutes 1984, sections 121.02, subdivision 1; 123.743; 125.08; 136A.09; 136A.095; 136A.101; 136A.121, subdivisions 1, 2, 3, 4, 5, 6, 7, 9, 10, 11, 12, 13, 16, and by adding a subdivision; 136A.132, subdivisions 3, 4, 5, and 6; 136A.162; 136C.04, subdivision 15; 136C.08, subdivision 2; 136C.13, subdivision 3, and by adding a subdivision; 136C.26, subdivisions 4 and 5; 136C.28, subdivision 2; 136C.33, subdivision 1; 136C.34; 136C.36; 141.25, subdivision 8; and 141.26, subdivision 5; proposing coding for new law in Minnesota Statutes, chapters 124; 135A; and 136; repealing Minnesota Statutes 1984, sections 136A.121, subdivisions 8 and 14; 136C.26, subdivisions 2 and 8; 136C.28, subdivisions 3, 4, 5, 6, and 7; 136C.33, subdivisions 3 and 4; 136C.37; and 136C.38.

And the Senate respectfully requests that a Conference Committee be appointed thereon. The Senate has appointed as such committee Messrs. Waldorf, Dicklich, Hughes, Nelson and Taylor.

Said Senate File is herewith transmitted to the House with the request that the House appoint a like committee.

PATRICK E. FLAHAVEN, Secretary of the Senate

Forsythe moved that the House accede to the request of the Senate and that the Speaker appoint a Conference Committee of 5 members of the House to meet with a like committee appointed by the Senate on the disagreeing votes of the two houses on S. F. No. 1523. The motion prevailed.

ANNOUNCEMENTS BY THE SPEAKER

The Speaker announced the appointment of the following members of the House to a Conference Committee on S. F. No. 1525:

Anderson, R. ; Carlson, J. ; Stanius ; Becklin and Jennings, L.

The Speaker announced the appointment of the following members of the House to a Conference Committee on H. F. No. 242:

Bennett, Sparby and Marsh.

The Speaker announced the appointment of the following members of the House to a Conference Committee on S. F. No. 1523:

Haukoos, Boo, Frerichs, Rose and Carlson, L.

SPECIAL ORDERS

S. F. No. 693 was reported to the House.

Bishop moved to amend S. F. No. 693, as follows:

Page 2, line 18, after "storage," insert "forfeiture"

Page 7, line 24, after "storage," insert "forfeiture and"

Page 8, line 1, after "storage" insert ", forfeiture"

The motion prevailed and the amendment was adopted.

Bishop moved to amend S. F. No. 693, as amended, as follows:

Page 2, line 33, after the period, insert:

"Any local police relief association organized under chapter 423, which received or was entitled to receive the proceeds of any sale made under this section before the enactment of Laws 1984, chapter 625, shall continue to receive and retain the proceeds of these sales."

Page 7, line 33, before the semicolon, insert ". Any local police relief association organized under chapter 423, which received or was entitled to receive the proceeds of any sale made under this section before the enactment of Laws 1984, chapter 625, shall continue to receive and retain the proceeds of these sales"

The motion prevailed and the amendment was adopted.

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

Jacobs, Valento, Blatz, Quinn, Begich, Ozment, Vellenga and Stanius moved to amend S. F. No. 693, as amended, as follows:

Page 8, after line 7, insert:

"Sec. 3. Minnesota Statutes 1984, section 624.731, is amended to read:

**624.731 [TEAR GAS AND TEAR GAS COMPOUNDS;
ELECTRONIC INCAPACITATION DEVICES.]**

Subdivision 1. [DEFINITIONS.] For the purposes of this section (,) :

(a) "authorized tear gas compound" means a lachrymator or any substance composed of a mixture of a lachrymator including chloroacetophenone, alpha-chloroacetophenone (,) ; phenylchloromethylketone, orthochlorobenzalmalononitrile or oleoresin capsicum, commonly known as tear gas; and

(b) "electronic incapacitation device" means a portable device which is designed or intended by the manufacturer to be used, offensively or defensively, to temporarily immobilize or incapacitate persons by means of electric pulse or current. "Electronic incapacitation device" does not include cattle prods, electric fences, or other electric devices which are used in agricultural, animal husbandry, or food production activities.

Subd. 2. [AUTHORIZED POSSESSION; USE.] (a) A person may possess and use an authorized tear gas compound in the exercise of reasonable force in defense of the person or his property only if it is propelled from an aerosol container, labelled with or accompanied by clearly written instructions as to its use and the dangers involved in its use, and dated to indicate its anticipated useful life.

(b) A person may possess and use an electronic incapacitation device in the exercise of reasonable force in defense of the person or his property only if the electronic incapacitation device is labelled with or accompanied by clearly written instructions as to its use and the dangers involved in its use.

Subd. 3. [PROHIBITED POSSESSION; USE.] (a) No person under the age of 16 (SHALL) may possess or use an authorized tear gas compound except by written permission of his parent or guardian, and no person under the age of 18 may possess or use an electronic incapacitation device.

(b) No person prohibited from possessing a pistol pursuant to section 624.713, subdivision 1, clause (b), (SHALL) may possess or use an authorized tear gas compound or an electronic incapacitation device.

(c) No person prohibited from possessing a pistol pursuant to section 624.713, subdivision 1, clauses (c) to (e), (SHALL)

may possess or use an authorized tear gas compound or an *electronic incapacitation device*, except that the certificate or other proof required for possession of a handgun shall not apply.

(d) No person shall possess or use tear gas or a tear gas compound other than an authorized tear gas compound.

Subd. 4. [PROHIBITED USE.] (a) No person shall knowingly, or with reason to know, use tear gas, a tear gas compound, (OR) an authorized tear gas compound, or an *electronic incapacitation device* on or against a peace officer who is in the performance of his duties.

(b) No person shall use tear gas, a tear gas compound, (OR) an authorized tear gas compound, or an *electronic incapacitation device* except as authorized in subdivision 2 or 6.

(c) Tear gas (OR), a tear gas compound, or an *electronic incapacitation device* shall legally constitute a weapon when it is used in the commission of a crime.

Subd. 5. [PROHIBITED SALE.] Except as permitted by subdivision 6, no person shall knowingly furnish or sell tear gas or a tear gas compound to another person. No person shall knowingly furnish or sell an authorized tear gas compound or an *electronic incapacitation device* to a person prohibited from possessing it by subdivision 3. No person shall knowingly furnish or sell an authorized tear gas compound or an *electronic incapacitation device* which fails to meet the requirements of subdivision 2. No tear gas, tear gas compound (OR), authorized tear gas compound, or *electronic incapacitation device* shall be sold or furnished on premises where non-intoxicating malt liquor as defined in section 340.001, subdivision 2, is sold on an on-sale basis or where intoxicating liquor as defined in section 340.07, subdivision 2, is sold on an on-sale or off-sale basis. No person shall sell tear gas, a tear gas compound (OR), authorized tear gas compound, or *electronic incapacitation device* in violation of local licensing requirements.

Subd. 6. [EXCEPTIONS.] Nothing in this section shall prohibit the possession or use of by, or the sale or furnishing of, tear gas, a tear gas compound, (OR) an authorized tear gas compound, or *electronic incapacitation device* to, a law enforcement agency, peace officer, the national guard or reserves, or a member of the national guard or reserves for use in their official duties, except that counties and municipalities may impose licensing requirements on sellers pursuant to subdivision 9.

Subd. 7. [EXEMPTION.] Tear gas, tear gas compounds, and authorized tear gas compounds shall not be classified as an obnoxious or harmful gas, fluid, or substance under section 609.60, clause (5).

Subd. 8. [PENALTIES.] (a) The following violations of this section shall be considered a felony:

(1) The possession or use of tear gas, a tear gas compound, (OR) an authorized tear gas compound, *or an electronic incapacitation device* by a person specified in subdivision 3, clause (b).

(2) Knowingly selling or furnishing of tear gas, a tear gas compound, (OR) an authorized tear gas compound, *or an electronic incapacitation device* to a person specified in subdivision 3, clause (b).

(3) *The use of an electronic incapacitation device as prohibited in subdivision 4, clause (a).*

(b) The following violation of this section shall be considered a gross misdemeanor and shall be punished by not less than 90 days in jail: The prohibited use of tear gas, a tear gas compound, or an authorized tear gas compound as specified in subdivision 4, clause (a).

(c) The following violations of this section shall be considered a misdemeanor:

(1) The possession or use of tear gas, a tear gas compound, (OR) an authorized tear gas compound, *or an electronic incapacitation device* which fails to meet the requirements of subdivision 2 by any person except as allowed by subdivision 6.

(2) The possession or use of an authorized tear gas compound *or an electronic incapacitation device* by a person specified in subdivision 3, clause (a) or (c).

(3) The use of tear gas, a tear gas compound, (OR) an authorized tear gas compound, *or an electronic incapacitation device* except as allowed by subdivision 2 or 6.

(4) Knowingly selling or furnishing an authorized tear gas compound *or an electronic incapacitation device* to a person specified in subdivision 3, clause (a) or (c).

(5) Selling or furnishing of tear gas or a tear gas compound other than an authorized tear gas compound to any person except as allowed by subdivision 6.

(6) Selling or furnishing of an authorized tear gas compound *or an electronic incapacitation device* on premises where intoxicating liquor is sold on an on-sale or off-sale basis or where non-intoxicating malt liquor is sold on an on-sale basis.

(7) Selling an authorized tear gas compound *or an electronic incapacitation device* in violation of local licensing requirements.

Subd. 9. [LOCAL LICENSING.] (a) For purposes of this section, "municipality" means statutory or home rule charter city or town.

(b) There is hereby conferred upon the governing body of each county, statutory or home rule charter city and town in the state the authority to license the business of vendors of *tear gas*, *tear gas compounds*, *authorized tear gas compounds*, or *electronic incapacitation devices* within their respective jurisdictions, to impose a license fee therefor, to impose qualifications for obtaining a license, the duration of licenses and to restrict the number of licenses the governing body will issue.

(c) Every person desiring a license from a local governing body shall file with the clerk of the municipality or the county board in the case of application to a county, a verified written application in the form to be prescribed by the local governing body.

(d) The local governing body may establish the grounds, notice and hearing procedures for revocation of licenses issued pursuant to this section. The local governing body may also establish penalties for sale of *tear gas*, *tear gas compounds* (OR), *authorized tear gas compounds*, or *electronic incapacitation devices* in violation of its licensing requirements.

Subd. 10. [LOCAL REGULATION.] This section shall be the exclusive regulation of the possession, use, and furnishing of *tear gas*, *tear gas compounds*, (AND) *authorized tear gas compounds*, and *electronic incapacitation devices* in Minnesota. This section shall supersede and preempt all regulation of the possession, use, and furnishing of *tear gas* (AND), *tear gas compounds*, *authorized tear gas compounds*, and *electronic incapacitation devices* by political subdivisions."

Amend the title as follows:

Page 1, line 4, after the semicolon, insert "regulating the use, possession and sale of electronic incapacitation devices; imposing penalties;"

Page 1, line 5, delete "and"

Page 1, line 6, before the period, insert " ; and 624.731"

POINT OF ORDER

Wynia raised a point of order pursuant to rule 4.9 relating to who may be admitted to the floor. The Speaker ruled the point of order not well taken.

Vellenga moved to amend the Jacobs et al. amendment to S. F. No. 693, as amended, as follows:

Page 5, line 28, reinstate the stricken language and delete the new language

Page 5, line 29, delete the new language

Page 5, line 31, reinstate the stricken language and delete the new language

Page 5, line 32, delete the new language

Page 5, line 33, delete the new language

A roll call was requested and properly seconded.

Quist moved to lay the Jacobs et al. amendment to S. F. No. 693 and the Vellenga amendment to the Jacobs et al. amendment on the table.

A roll call was requested and properly seconded.

POINT OF ORDER

Skoglund raised a point of order pursuant to section 399 of "Mason's Manual of Legislative Procedure" that the Quist motion to lay the Jacobs et al. amendment to S. F. No. 693 and the Vellenga amendment to the Jacobs et al. amendment on the table was not in order. The Speaker ruled the Skoglund point of order not well taken and the Quist motion to lay on the table in order.

The question recurred on the Quist motion to lay the Jacobs et al. amendment to S. F. No. 693 and the Vellenga amendment to the Jacobs et al. amendment on the table and the roll was called.

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

There were 21 yeas and 90 nays as follows:

Those who voted in the affirmative were:

Boerboom	Long	Piper	Scheid	Vanasek
Burger	McLaughlin	Quist	Simoneau	Wynia
Greenfield	Osthoff	Rice	Staten	Zaffke
Gutknecht	Otis	Richter	Tomlinson	Spk. Jennings, D.
Kahn				

Those who voted in the negative were:

Anderson, G.	Dyke	Kalis	Ogren	Seaberg
Anderson, R.	Elioff	Kiffmeyer	Olson, E.	Shaver
Battaglia	Ellingson	Krueger	Omann	Sherman
Beard	Fjoslien	Kvam	Onnen	Skoglund
Begich	Forsythe	Levi	Ozment	Sparby
Bennett	Frederick	Marsh	Pappas	Stanlius
Bishop	Frederickson	McDonald	Pauly	Sviggum
Blatz	Frerichs	McEachern	Peterson	Thorson
Boo	Gruenes	McPherson	Piepho	Tjornhom
Brandl	Halberg	Metzen	Poppenhagen	Tompkins
Brown	Hartinger	Miller	Redalen	Tunheim
Carlson, D.	Hartle	Munger	Rest	Uphus
Carlson, J.	Haukoos	Murphy	Riveness	Valan
Carlson, L.	Heap	Nelson, D.	Rodosovich	Valento
Clausnitzer	Himle	Nelson, K.	Rose	Vellenga
Cohen	Jacobs	Neuenschwander	Sarna	Waltman
Dempsey	Jennings, L.	Norton	Schafer	Welle
Dimler	Johnson	O'Connor	Schoenfeld	Wenzel

The motion did not prevail.

The Speaker called Halberg to the Chair.

The question recurred on the Vellenga amendment to the Jacobs et al. amendment to S. F. No. 693, as amended, and the roll was called.

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

There were 48 yeas and 69 nays as follows:

Those who voted in the affirmative were:

Anderson, G.	Greenfield	Nelson, D.	Rest	Solberg
Anderson, R.	Jaros	Nelson, K.	Rice	Staten
Beard	Jennings, L.	Norton	Riveness	Tomlinson
Brandl	Kahn	Osthoff	Rodosovich	Vanasek
Carlson, L.	Kelly	Otis	Scheid	Vellenga
Clark	Knuth	Pappas	Schoenfeld	Voss
Cohen	Long	Peterson	Seaberg	Welle
DenOuden	McLaughlin	Piper	Segal	Wynia
Ellingson	Munger	Price	Simoneau	
Forsythe	Murphy	Quist	Skoglund	

Those who voted in the negative were:

Battaglia	Carlson, J.	Gruenes	Kiffmeyer	Miller
Becklin	Clausnitzer	Halberg	Knickerbocker	Neuenschwander
Begich	Dempsey	Hartinger	Krueger	Ogren
Bennett	Dimler	Hartle	Kvam	Olson, E.
Blatz	Dyke	Haukoos	Levi	Omann
Boerboom	Elioff	Heap	Marsh	Onnen
Boo	Fjoslien	Himle	McDonald	Ozment
Brinkman	Frederick	Jacobs	McEachern	Pauly
Burger	Frederickson	Johnson	McPherson	Piepho
Carlson, D.	Frerichs	Kalis	Metzen	Poppenhagen

Redalen
Richter
Rose
Schafer

Shaver
Sherman
Sparby
Stanius

Sviggum
Thorson
Tjornhom
Tompkins

Tunheim
Uphus
Valan
Valento

Waltman
Wenzel
Spk. Jennings, D.

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

Kelly and Skoglund moved to amend the Jacobs et al. amendment to S. F. No. 693, as amended, as follows:

Page 1, delete lines 4 to 14 and insert:

"Sec. 3. [624.75] [PROHIBITING USE AND SALE OF ELECTRONIC INCAPACITATION DEVICES.]

Subdivision 1. [DEFINITION.] For purposes of this section,"

Page 1, line 15, delete "(b)"

Page 1, delete lines 22 to 24 and insert:

"Subd. 2. [PROHIBITING SALE; PENALTY.] No person may furnish or sell an electronic incapacitation device to another person. A person who violates this subdivision is guilty of a felony and may be sentenced to imprisonment for not more than two years or to payment of a fine of not more than \$4,000, or both.

Subd. 3. [PROHIBITING POSSESSION OR USE.] No person may possess or use an electronic incapacitation device. A person who violates this subdivision is guilty of a misdemeanor.

Subd. 4. [EXEMPTION.] Nothing in this section prohibits (1) sale or furnishing of an electronic incapacitation device to a law enforcement agency or a peace officer or (2) use of an electronic incapacitation device by a law enforcement agency or peace officer, or (3) sale, furnishing, or use of an electronic incapacitation device by a person trained in its use by a law enforcement agency."

Delete pages 2 to 6

"Sec. 4. *Sec. 3 is repealed effective August 1, 1986.*"

Amend the title accordingly

A roll call was requested and properly seconded.

POINT OF ORDER

Begich raised a point of order pursuant to rule 3.10 that the Kelly and Skoglund amendment to the Jacobs et al. amendment was not in order. The Speaker pro tempore Halberg ruled the Begich point of order not well taken and the Kelly and Skoglund amendment in order.

POINT OF ORDER

Rice raised a point of order pursuant to rule 3.9 that the Kelly and Skoglund amendment to the Jacobs et al. amendment was not in order. The Speaker pro tempore Halberg ruled the Rice point of order not well taken and the Kelly and Skoglund amendment in order.

The question recurred on the Kelly and Skoglund amendment to the Jacobs et al. amendment to S. F. No. 693, as amended, and the roll was called.

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

There were 38 yeas and 81 nays as follows:

Those who voted in the affirmative were:

Anderson, G.	Jaros	Nelson, K.	Price	Staton
Brandl	Kahn	Norton	Rest	Tomlinson
Burger	Kelly	O'Connor	Rice	Vanasek
Carlson, L.	Knuth	Osthoff	Sarna	Vellenga
Clark	Long	Otis	Scheid	Voss
Cohen	McLaughlin	Pappas	Segal	Wynia
Ellingson	Munger	Peterson	Simoneau	
Greenfield	Murphy	Piper	Skoglund	

Those who voted in the negative were:

Anderson, R.	Elioff	Kiffmeyer	Ozment	Sviggum
Battaglia	Fjoslien	Knickerbocker	Pauly	Thorson
Beard	Forsythe	Krueger	Piepho	Tjornhom
Becklin	Frederick	Kvam	Popenhagen	Tompkins
Begich	Frederickson	Levi	Quist	Tunheim
Bennett	Frerichs	Marsh	Rodalen	Uphus
Blatz	Gruenes	McDonald	Richter	Valan
Boerboom	Gutknecht	McEachern	Rodosovich	Valento
Boo	Halberg	McPherson	Rose	Waltman
Brown	Hartinger	Metzen	Schafer	Welle
Carlson, D.	Hartle	Miller	Schoenfeld	Wenzel
Carlson, J.	Haukoos	Neuenschwander	Seaberg	Zaffke
Clausnitzer	Himle	Ogren	Shaver	Spk. Jennings, D.
Dempsey	Jacobs	Olsen, S.	Sherman	
DenOuden	Jennings, L.	Olson, E.	Solberg	
Dimler	Johnson	Omann	Sparby	
Dyke	Kalis	Onnen	Stanius	

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

The question recurred on the Jacobs et al. amendment to S. F. No. 693, as amended. The motion prevailed and the amendment was adopted.

The Speaker resumed the Chair.

S. F. No. 693, A bill for an act relating to crimes; providing for forfeitures of communications devices and proceeds derived from commission of designated offenses; amending Minnesota Statutes 1984, sections 152.19, subdivision 5; and 609.531.

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 94 yeas and 28 nays as follows:

Those who voted in the affirmative were:

Anderson, R.	Elioff	Kelly	Onnen	Sherman
Battaglia	Ellingson	Kiffmeyer	Ozment	Solberg
Beard	Fjoslien	Knickerbocker	Pauly	Sparby
Becklin	Forsythe	Krueger	Peterson	Stanis
Begich	Frederick	Kvam	Piepho	Swiggum
Bennett	Frederickson	Levi	Poppenhagen	Thorson
Bishop	Frerichs	Marsh	Quinn	Tjornhom
Blatz	Gruenes	McDonald	Quist	Tompkins
Boerboom	Gutknecht	McEachern	Redalen	Tunheim
Boo	Halberg	McPherson	Rest	Uphus
Burger	Hartinger	Metzen	Richter	Valan
Carlson, D.	Hartle	Miller	Riveness	Valento
Carlson, J.	Haukoos	Nelson, D.	Rodosovich	Voss
Carlson, L.	Heap	Nelson, K.	Rose	Waltman
Clausnitzer	Himle	Neuenschwander	Sarna	Welle
Dempsey	Jacobs	O'Connor	Schafer	Wenzel
DenOuden	Jennings, L.	Olsen, S.	Schoenfeld	Zaffke
Dimler	Johnson	Olson, E.	Seaberg	Spk. Jennings, D.
Dyke	Kalis	Omann	Shaver	

Those who voted in the negative were:

Anderson, G.	Kahn	Ogren	Rice	Tomlinson
Brandl	Long	Osthoff	Scheid	Vanasek
Clark	McLaughlin	Otis	Segal	Vellenga
Cohen	Munger	Pappas	Simoneau	Wynia
Greenfield	Murphy	Piper	Skoglund	
Jaros	Norton	Price	Staten	

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

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

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 House File, herewith returned, as amended by the Senate, in which amendment the concurrence of the House is respectfully requested:

H. F. No. 848, A bill for an act relating to children and families; requiring the sentencing guidelines commission to develop mitigating departure criteria for certain crimes; providing judicial procedures to protect the welfare of alleged child abuse victims; requiring notice that appropriate social services will be provided during the period of a temporary order; requiring juvenile and criminal courts to give docket priority to child abuse cases; providing for the examination of child witnesses; clarifying the admissibility of certain out-of-court statements; providing certain protections for parents in juvenile court proceedings; clarifying the scope and effect of juvenile court orders; merging the crimes of "intrafamilial sexual abuse" and "criminal sexual conduct"; eliminating certain notice requirements as applied to a minor under 10; authorizing the presence of parents at trials involving criminal sexual conduct or criminal sexual abuse when the prosecuting witness is a minor; establishing a task force on child sexual abuse; 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, by adding a subdivision; 260.191, by adding subdivisions; 260.301; 609.341, by adding a subdivision; 609.342; 609.343; 609.344; 609.345; 626.556, subdivision 11; and 630.36; repealing Minnesota Statutes 1984, sections 609.364 to 609.3644; 609.342, subdivision 3; 609.343, subdivision 3; 609.344, subdivision 3; and 609.345, subdivision 3; proposing coding for new law in Minnesota Statutes, chapters 244 and 631.

PATRICK E. FLAHAVEN, Secretary of the Senate

Blatz moved that the House refuse to concur in the Senate amendments to H. F. No. 848, that the Speaker appoint a Conference Committee of 5 members of the House, and that the House requests that a like committee be appointed by the Senate to confer on the disagreeing votes of the two houses. The motion prevailed.

ANNOUNCEMENT BY THE SPEAKER

The Speaker announced the appointment of the following members of the House to a Conference Committee on H. F. No. 848:

Blatz, Valento, Seaberg, Kelly and Vellenga.

GENERAL ORDERS

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

MOTIONS AND RESOLUTIONS

Sviggum moved that the name of Ozment be added as an author on H. F. No. 942. The motion prevailed.

Carlson, J., moved that the name of Sparby be added as an author on H. F. No. 1083. The motion prevailed.

Frerichs moved that H. F. No. 1048 be recalled from the Committee on Rules and Legislative Administration and be referred to the Committee on Appropriations. The motion prevailed.

Fjoslien, Marsh, McDonald, Gutknecht and Bishop introduced:

House Resolution No. 34, A house resolution commemorating the allied victory in Europe over the forces of Nazism and Fascism.

SUSPENSION OF RULES

Fjoslien moved that the rules be so far suspended that House Resolution No. 34 be now considered and be placed upon its adoption. The motion prevailed.

HOUSE RESOLUTION NO. 34

A house resolution commemorating the allied victory in Europe over the forces of Nazism and Fascism.

Whereas, the 1930s in Europe saw the growth of Nazism and Fascism; and

Whereas, the spread of those ideologies led to World War II in which 60,000,000 people died; and

Whereas, the end of that war in Europe came on May 7, 1945, with the signing of the surrender in Reims, France; and

Whereas, since then, each May 8th has been remembered as the day the killing stopped in Europe; and

Whereas, the conclusion of the war saw the disclosure of the horror of Nazi death camps and the liberation of the survivors of those camps; and

Whereas, since that terrible war, the world has seen the founding and growth of a strong and free government and economy in West Germany; and

Whereas, the current visit of the President of the United States to West Germany properly recognizes that the United States and West Germany are now allies in the defense of freedom; *Now, Therefore,*

Be It Resolved by the House of Representatives of the State of Minnesota that it commemorates the victory in Europe in World War II with remembrance of those who died, with gratitude to those who fought against Nazi and Fascist horrors, and with thankfulness that Germany is now a strong and free ally. President Reagan has properly recognized that, despite the Nazi past, West Germany is now allied with us in defense of freedom.

Fjoslien moved that House Resolution No. 34 be now adopted.

Fjoslien moved to amend House Resolution No. 34, as follows:

Page 1, line 20, delete "properly"

Page 2, line 3, after "that" insert "West"

Page 2, line 4, delete "properly"

Page 2, after line 5, add a new paragraph to read:

"Be It Further Resolved that the Chief Clerk is directed to prepare enrolled copies of this resolution, to be authenticated by his signature and those of the Speaker and present them to representatives of the various Minnesota veterans organizations."

The motion prevailed and the amendment was adopted.

Kahn moved to amend House Resolution No. 34, as amended, as follows:

Page 1, after line 18, insert:

"Whereas, we now need to remind ourselves of our former alliance with the Soviet Union against the forces of Nazism and Fascism and work for a future of peace for all in Europe and Asia; and"

The motion prevailed and the amendment was adopted.

Fjoslien moved that House Resolution No. 34, as amended, be now adopted. The motion prevailed and House Resolution No. 34, as amended, was adopted.

ADJOURNMENT

Levi moved that when the House adjourns today it adjourn until 12:00 noon, Monday, May 13, 1985. The motion prevailed.

Levi moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 12:00 noon, Monday, May 13, 1985.

EDWARD A. BURDICK, Chief Clerk, House of Representatives

