

STATE OF MINNESOTA

SEVENTY-FOURTH SESSION - 1985

FIFTY-NINTH DAY

SAINT PAUL, MINNESOTA, MONDAY, MAY 13, 1985

The House of Representatives convened at 12:00 noon and was called to order by David M. Jennings, Speaker of the House.

Prayer was offered by Reverend J. A. Riveness, Director of the Words of Life Gospel Broadcast out of Thief River Falls, Karlstad, Minnesota.

The roll was called and the following members were present:

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

A quorum was present.

Rees and Tunheim were excused.

Vanasek was excused until 1:00 p.m. Brinkman was excused until 1:30 p.m. Clark was excused until 1:40 p.m.

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

REPORTS OF CHIEF CLERK

Pursuant to Rules of the House, printed copies of H. F. Nos. 1253, 1359, 1552, 827, 376, 1070, 1243, 1256 and 1623 and S. F. Nos. 125, 1219, 1429, 295, 879, 31, 567 and 1159 have been placed in the members' files.

S. F. No. 1429 and H. F. No. 1359, which had been referred to the Chief Clerk for comparison, were examined and found to be identical.

Bishop moved that S. F. No. 1429 be substituted for H. F. No. 1359 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 31 and H. F. No. 456, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

SUSPENSION OF RULES

Blatz moved that the rules be so far suspended that S. F. No. 31 be substituted for H. F. No. 456 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 295 and H. F. No. 757, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

SUSPENSION OF RULES

Zaffke moved that the rules be so far suspended that S. F. No. 295 be substituted for H. F. No. 757 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 567 and H. F. No. 601, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

SUSPENSION OF RULES

Halberg moved that the rules be so far suspended that S. F. No. 567 be substituted for H. F. No. 601 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 879 and H. F. No. 1080, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

SUSPENSION OF RULES

Heap moved that the rules be so far suspended that S. F. No. 879 be substituted for H. F. No. 1080 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 1159 and H. F. No. 916, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

SUSPENSION OF RULES

Heap moved that the rules be so far suspended that S. F. No. 1159 be substituted for H. F. No. 916 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 8, 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. 266, relating to arrest; providing indemnification for off-duty peace officers who make arrests outside their jurisdiction; specifying the circumstances under which peace officers, constables, and part-time peace officers may make on- or off-duty arrests outside their jurisdictions; amending Minnesota Statutes 1984, sections 3.736, subdivision 1, and by adding a subdivision; 97.50, subdivision 1; 629.34, subdivision 1; and 629.40.

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

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

H. F. No. 537, relating to local government; changing the permissible expenditures on tourist, agricultural, and industrial promotion for Itasca county and Koochiching county; changing apportionment of certain proceeds from forfeited land sales in Itasca county and Koochiching county; amending Laws 1965, chapter 326, section 1, subdivisions 1, 4, 5, as amended, and 7; and Laws 1967, chapter 170, section 1, subdivisions 1, 5, and 7.

H. F. No. 602, relating to alcoholic beverages; allowing certain extensions of credit; amending Minnesota Statutes 1984, sections 340.031, subdivision 2; and 340.405.

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

H. F. No. 1197, relating to cities of Circle Pines and Lino Lakes; permitting cities to determine the size of Circle Pines utilities commission.

H. F. No. 1198, relating to local government; authorizing the creation of a youth coordinating board in the city of Minneapolis.

H. F. No. 1226, relating to local government; permitting land transfer between Ramsey county and town of White Bear.

H. F. No. 1093, A resolution memorializing the President and Secretary of Agriculture of the United States to require the government of Canada to comply with the fair trade regulations on hogs, or impose quotas and strict tariffs on Canadian hog imports.

Sincerely,

RUDY PERPICH
Governor

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

May 8, 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> |
|---------------------|---------------------|-------------------------------------|-------------------------------|----------------------------|
| 783 | | 81 | May 8 | May 8 |
| 1119 | | 82 | May 8 | May 8 |
| 1329 | | 83 | May 8 | May 8 |
| | 266 | 84 | May 8 | May 8 |
| | 267 | 85 | May 8 | May 8 |
| | 428 | 86 | May 8 | May 8 |
| | 537 | 87 | May 8 | May 8 |
| | 602 | 88 | May 8 | May 8 |
| | 907 | 89 | May 8 | May 8 |
| 1197 | | 90 | May 8 | May 8 |
| 1198 | | 91 | May 8 | May 8 |
| 1226 | | 92 | May 8 | May 8 |
| 1093 | | Resolution No. 4 | May 8 | May 8 |

Sincerely,

JOAN ANDERSON GROWE
Secretary of State

STATE OF MINNESOTA
OFFICE OF THE GOVERNOR
SAINT PAUL 55155

May 9, 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. 362, relating to Beltrami county; providing for disposition of the proceeds from the sale or rental of tax-forfeited lands or from the sale of their products; increasing the amount that may be spent for promotion of tourist, agricultural, and industrial developments; amending Laws 1967, chapter 558, section 1, subdivisions 1 and 5, as amended.

H. F. No. 1199, relating to the city of New Brighton; providing an exception from the New Brighton police civil service system for the chief and deputy chief of police.

Sincerely,

RUDY PERPICH
Governor

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

May 9, 1985

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

The Honorable Jerome M. Hughes
President of the Senate

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| <i>S.F. No.</i> | <i>H.F. No.</i> | <i>Session Laws Chapter No.</i> | <i>Date Approved 1985</i> | <i>Date Filed 1985</i> |
|---------------------|---------------------|-------------------------------------|-------------------------------|----------------------------|
| 86 | | 93 | May 9 | May 9 |
| 143 | | 94 | May 9 | May 9 |
| 921 | | 95 | May 9 | May 9 |
| 994 | | 96 | May 9 | May 9 |

59th Day]

MONDAY, MAY 13, 1985

3877

| <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> |
|---------------------|---------------------|-------------------------------------|-------------------------------|----------------------------|
| 1071 | | 97 | May 9 | May 9 |
| | 362 | 98 | May 9 | May 9 |
| | 1199 | 99 | May 9 | May 9 |

Sincerely,

JOAN ANDERSON GROWE
Secretary of State

SECOND READING OF SENATE BILLS

S. F. Nos. 1429, 31, 295, 567, 879 and 1159 were read for the second time.

INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

Dimler, Seaberg, Jacobs and Tjornhom introduced:

H. F. No. 1666, A bill for an act relating to consumer protection; providing alternative security requirements for health and social referral clubs; amending Minnesota Statutes 1984, section 325G.27, subdivision 2.

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

Schreiber, Kvam, Begich, Minne and Boo introduced:

H. F. No. 1667, A bill for an act relating to taxation; changing rate of the occupation tax on taconite and certain other ores; amending Minnesota Statutes 1984, section 298.01.

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

McLaughlin, Wynia, Burger and Boo introduced:

H. F. No. 1668, A bill for an act relating to insurance; requiring carryover of deductibles when a group health policy is replaced; proposing coding for new law in Minnesota Statutes, chapter 62A.

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

Shaver introduced:

H. F. No. 1669, A bill for an act relating to taxation; income; eliminating the addition to federal adjusted gross income for employee teacher retirement contributions; amending Minnesota Statutes 1984, section 290.01, subdivision 20a.

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

Backlund was excused while in conference.

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 Files, herewith returned:

H. F. No. 368, A bill for an act relating to crimes; requiring notice of dishonor for issuing a worthless check to cite laws creating civil and criminal liability; amending Minnesota Statutes 1984, sections 332.50, subdivisions 2 and 3; and 609.535, subdivision 3.

H. F. No. 385, A bill for an act relating to occupations and professions; providing advertising restrictions for plumbers; proposing coding for new law in Minnesota Statutes, chapter 326.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

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

H. F. No. 97, A bill for an act relating to liquor; authorizing farm winery licensees to sell cheese and cheese spreads; amending Minnesota Statutes 1984, section 340.435, subdivision 3.

H. F. No. 308, A bill for an act relating to intoxicating liquor; hours for Sunday sale; amending Minnesota Statutes 1984, section 340.14, subdivision 5.

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. 835, A bill for an act relating to driver's licenses; allowing same time for expiration of driver's license for spouse of active duty member of armed forces; amending Minnesota Statutes 1984, section 171.27.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Miller moved that the House concur in the Senate amendments to H. F. No. 835 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 835, A bill for an act relating to driver's licenses; allowing same time for expiration of driver's license for spouse of active duty member of armed forces; amending Minnesota Statutes 1984, section 171.27.

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

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

Those who voted in the affirmative were:

| | | | | |
|-----------|-------------|-----------|------------|---------|
| Backlund | Boo | DenOuden | Frederick | Haukoos |
| Battaglia | Brinkman | Dimler | Frerichs | Heap |
| Beard | Burger | Dyke | Greenfield | Jacobs |
| Begich | Carlson, D. | Elioff | Gruenes | Jaros |
| Bennett | Carlson, L. | Ellingson | Gutknecht | Johnson |
| Bishop | Clausnitzer | Erickson | Halberg | Kahn |
| Blatz | Cohen | Fjoslien | Hartinger | Kalis |
| Boerboom | Dempsey | Forsythe | Hartle | Kelly |

| | | | | |
|------------|----------------|-------------|------------|-------------------|
| Kiffmeyer | Minne | Peterson | Scheid | Tomlinson |
| Knuth | Munger | Piepho | Schoenfeld | Tompkins |
| Kostohryz | Murphy | Piper | Schreiber | Uphus |
| Krueger | Nelson, D. | Poppenhagen | Seaberg | Valan |
| Kvam | Nelson, K. | Price | Segal | Valento |
| Levi | Neuenschwander | Quinn | Shaver | Vellenga |
| Lieder | Norton | Quist | Simoneau | Voss |
| Long | Ogren | Redalen | Skoglund | Welle |
| Marsh | Olsen, S. | Rest | Solberg | Wenzel |
| McDonald | Omann | Rice | Sparby | Wynia |
| McEachern | Onnen | Richter | Stanius | Zaffke |
| McLaughlin | Osthoff | Riveness | Swiggum | Spk. Jennings, D. |
| McPherson | Otis | Rodosovich | Thiede | |
| Metzen | Pappas | Rose | Thorson | |
| Miller | Pauly | Schafer | Tjornhom | |

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. 216, A bill for an act relating to financial institutions; credit unions; specifying certain powers; amending Minnesota Statutes 1984, section 52.04, subdivision 1; repealing Minnesota Statutes 1984, section 52.04, subdivision 2.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Halberg moved that the House concur in the Senate amendments to H. F. No. 216 and that the bill be repassed as amended by the Senate.

Kvam moved that the House refuse to concur in the Senate amendments to H. F. No. 216, 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.

A roll call was requested and properly seconded.

The question was taken on the Kvam motion and the roll was called. There were 31 yeas and 79 nays as follows:

Those who voted in the affirmative were:

| | | | | |
|-----------|-------------|----------|-----------|-----------|
| Battaglia | Boerboom | Erickson | Gutknecht | Kvam |
| Beard | Burger | Fjoslien | Hartle | McDonald |
| Begich | Carlson, L. | Gruenes | Kalis | McEachern |

| | | | | |
|-----------|--------|------------|---------|----------|
| McPherson | Ogren | Redalen | Sarna | Tompkins |
| Metzen | Ozment | Richter | Scheid | Uphus |
| Munger | Quinn | Rodosovich | Solberg | Wenzel |
| O'Connor | | | | |

Those who voted in the negative were:

| | | | | |
|--------------|---------------|----------------|-------------|-------------------|
| Anderson, G. | Frerichs | Lieder | Osthoff | Skoglund |
| Backlund | Greenfield | Long | Otis | Stanius |
| Bennett | Halberg | Marsh | Pauly | Svigum |
| Bishop | Hartinger | McKasy | Peterson | Thiede |
| Blatz | Haukoos | McLaughlin | Piepho | Thorson |
| Brandl | Heap | Miller | Piper | Tjornhom |
| Brown | Himle | Minne | Poppenhagen | Tomlinson |
| Carlson, D. | Jacobs | Murphy | Price | Valento |
| Clausnitzer | Jaros | Nelson, D. | Quist | Vellenga |
| Cohen | Johnson | Nelson, K. | Rest | Voss |
| Dempsey | Kahn | Neuenschwander | Rice | Waltman |
| Dimler | Kelly | Norton | Riveness | Welle |
| Dyke | Knickerbocker | Olsen, S. | Rose | Wynia |
| Elioff | Kostohryz | Olson, E. | Schafer | Zaffke |
| Forsythe | Krueger | Omann | Schoenfeld | Spk. Jennings, D. |
| Frederickson | Levi | Onnen | Seaberg | |

The motion did not prevail.

The question recurred on the Halberg motion that the House concur in the Senate amendments to H. F. No. 216 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 216, A bill for an act relating to financial institutions; credit unions; specifying certain powers; authorizing the establishment of detached banking facilities in the city of Savage; amending Minnesota Statutes 1984, section 52.04, subdivision 1; repealing Minnesota Statutes 1984, section 52.04, subdivision 2.

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 5 nays as follows:

Those who voted in the affirmative were:

| | | | | |
|--------------|--------------|------------|---------------|----------------|
| Anderson, G. | Carlson, L. | Frerichs | Kelly | Minne |
| Backlund | Clausnitzer | Greenfield | Kiffmeyer | Munger |
| Battaglia | Cohen | Gruenes | Knickerbocker | Murphy |
| Beard | Dempsey | Halberg | Knuth | Nelson, D. |
| Begich | DenOuden | Hartinger | Kostohryz | Nelson, K. |
| Bennett | Dimler | Hartle | Krueger | Neuenschwander |
| Bishop | Dyke | Haukoos | Levi | Norton |
| Blatz | Elioff | Heap | Lieder | O'Connor |
| Boerboom | Ellingson | Himle | Long | Ogren |
| Boo | Erickson | Jacobs | Marsh | Olsen, S. |
| Brandl | Fjoslien | Jaros | McDonald | Omann |
| Brown | Forsythe | Johnson | McKasy | Onnen |
| Burger | Frederick | Kahn | McLaughlin | Osthoff |
| Carlson, D. | Frederickson | Kalis | Miller | Otis |

| | | | | |
|-------------|------------|----------|-----------|-------------------|
| Ozment | Rest | Seaberg | Thorson | Welle |
| Pauly | Richter | Segal | Tjornhom | Wenzel |
| Peterson | Riveness | Shaver | Tomlinson | Wynia |
| Piepho | Rodosovich | Simoneau | Tompkins | Zaffke |
| Piper | Rose | Skoglund | Uphus | Spk. Jennings, D. |
| Poppenhagen | Sarna | Solberg | Valento | |
| Price | Schafer | Stanius | Vellenga | |
| Quinn | Scheid | Sviggum | Voss | |
| Quist | Schoenfeld | Thiede | Waltman | |

Those who voted in the negative were:

Kvam McPherson Metzen Redalen Rice

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. 143, A bill for an act relating to utilities; providing that gas and electric utilities may not seek compensation from landlords for delinquent bills incurred through a service agreement solely with the tenant; proposing coding for new law in Minnesota Statutes, chapter 325E.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Blatz moved that the House concur in the Senate amendments to H. F. No. 143 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 143, A bill for an act relating to utilities; providing that gas and electric utilities may not seek compensation from landlords for delinquent bills incurred through a service agreement solely with the tenant; proposing coding for new law in Minnesota Statutes, chapter 325E.

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 119 yeas and 1 nay as follows:

Those who voted in the affirmative were :

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

Those who voted in the negative were :

Olson, E.

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. 449, A bill for an act relating to attachments; providing procedures for the prejudgment seizure of property; amending Minnesota Statutes 1984, sections 570.01; 570.02; 570.08; 570.11; 570.12; and 570.14; repealing Minnesota Statutes 1984, sections 570.013; 570.03; 570.04; 570.05; 570.06; 570.07; 570.09; 570.093; and 570.13; proposing coding for new law in Minnesota Statutes, chapter 570.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Blatz moved that the House concur in the Senate amendments to H. F. No. 449 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 449, A bill for an act relating to attachments; providing procedures for the prejudgment seizure of property; amending Minnesota Statutes 1984, sections 570.01; 570.02; 570.08; 570.11; 570.12; and 570.14; repealing Minnesota Statutes 1984, sections 570.013; 570.03; 570.04; 570.05; 570.06; 570.07; 570.09; 570.093; 570.10; and 570.13; proposing coding for new law in Minnesota Statutes, chapter 570.

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 121 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

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. 1641, A bill for an act relating to the organization and operation of state government; appropriating money for the general legislative, judicial, and administrative expenses of state government with certain conditions; providing for the transfer of certain money in the state treasury; authorizing land acquisition; providing for the compensation of metropolitan government per-

sonnel; fixing and limiting fees; creating, modifying, transferring, and abolishing agencies and functions; amending Minnesota Statutes 1984, sections 2.722, subdivision 1; 3.21; 3.85, subdivision 11; 3.9223, subdivision 1; 11A.07, by adding a subdivision; 11A.20, subdivision 1; 13.68, subdivision 1; 15.50, subdivision 3; 16A.055, subdivision 1; 16A.275; 16A.40; 16A.42, subdivision 2; 16A.45, subdivision 2; 16A.47; 16A.58; 16A.672, subdivisions 1, 2, and 3; 16B.09, by adding a subdivision; 16B.29; 43A.07, subdivision 2; 84B.03, subdivision 4; 85.05, subdivisions 1 and 2; 85.22, subdivision 2a; 85A.01, subdivisions 1 and 2; 85A.02, subdivisions 3, 4, 5, 7, 12, 16, and by adding subdivisions; 85A.04, subdivision 3; 86.72; 86.75; 97.4841, subdivision 3; 97.4842, subdivision 2; 97.50, subdivision 1; 98.45, by adding a subdivision; 98.46, subdivisions 2, 14, and by adding a subdivision; 98.47, subdivision 1; 100.271, subdivision 2; 115.03, by adding a subdivision; 115A.05, subdivision 1; 115A.908, subdivisions 2 and 3; 116J.76; 116M.03, by adding a subdivision; 179A.03, subdivision 17; 179A.04, subdivision 3; 179A.13; 179A.16; 179A.21; 179A.25; 192.51, subdivision 2; 196.051, by adding a subdivision; 268.05, subdivision 2; 268.07, subdivision 2a; 268.38, subdivisions 1, 2, 6, 7, and 8; 270A.07, subdivision 1; 290.50, subdivision 6; 296.421, subdivision 4, and by adding a subdivision; 297.13, subdivision 1; 361.03, subdivision 5; 361.27; 462C.05, subdivision 2, and by adding a subdivision; 462C.07, subdivision 1, and by adding a subdivision; 473.123, subdivision 5; 473.129, subdivision 2; 473.141, subdivisions 7 and 12; 473.605, subdivision 2; 473.606, subdivisions 1 and 5; 473.704, by adding a subdivision; 473.714; 487.01, subdivision 5; 609.101; proposing coding for new law in Minnesota Statutes, chapters 3; 5; 85A; 97; 116; 139; and 270; proposing coding for new law as Minnesota Statutes, chapter 116N; repealing Minnesota Statutes 1984, sections 7.01; 7.013; 7.02; 7.03; 7.04; 7.05; 7.13; 7.14; 7.15; 7.16; 7.17; 7.18; 10.18; 10.19; 10.20; 10.21; 10.22; 10.23; 16A.42, subdivision 3; 46.15; 48.87; 69.031, subdivision 2; 85A.01, subdivision 1a; 85A.03; 85A.04, subdivision 1; 115A.05, subdivision 3; 115A.201, subdivision 2; 115A.22, subdivision 4; 116M.06, subdivision 5; 116M.07, subdivision 3; 124.471; 179A.03, subdivision 3; 179A.05; 296.10; 349.212, subdivision 3, as amended; 360.301; 360.302; 360.304; 360.306; 360.388; 360.389; 403.01, subdivision 1; and Laws 1982, chapter 489, section 11.

PATRICK E. FLAHAVER, Secretary of the Senate

Forsythe moved that the House refuse to concur in the Senate amendments to H. F. No. 1641, that the Speaker appoint a Conference Committee of 5 members of the House, and that the House requests that a like committee be appointed by the Senate to confer on the disagreeing votes of the two houses. The motion prevailed.

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in

which amendment the concurrence of the House is respectfully requested:

H. F. No. 729, A bill for an act relating to retirement; providing for an increased redemption benefit option for participants in the Hennepin county supplemental retirement program; allowing withdrawal from the program; amending Laws 1969, chapter 950, sections 1, subdivision 1, as amended; and 4, as amended; and Laws 1983, chapter 100, section 1.

PATRICK E. FLAHAVEN, Secretary of the Senate

Scheid moved that the House refuse to concur in the Senate amendments to H. F. No. 729, that the Speaker appoint a Conference Committee of 5 members of the House, and that the House requests that a like committee be appointed by the Senate to confer on the disagreeing votes of the two houses. The motion prevailed.

Mr. Speaker:

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

H. F. No. 418, A bill for an act relating to local government; excluding firefighter and peace officer job classes from certain aspects of pay equity requirements; amending Minnesota Statutes 1984, section 179A.16, by adding a subdivision; 471.992; 471.993, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 471; repealing Minnesota Statutes 1984, section 471.9965.

PATRICK E. FLAHAVEN, Secretary of the Senate

Dempsey moved that the House refuse to concur in the Senate amendments to H. F. No. 418, 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 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. 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.

The Senate has appointed as such Committee Messrs. Dahl, Davis 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. 848, A bill for an act relating to children and families; providing judicial procedures to protect the welfare of alleged child abuse victims; requiring juvenile and criminal courts to give docket priority to child abuse cases; providing certain protections for parents in juvenile court proceedings; clarifying the scope and effect of juvenile court orders; changing the crimes of "intrafamilial sexual abuse" to "criminal sexual abuse" and limiting the discretion of courts to stay sentences for these crimes; requiring that investigative interviews with child abuse victims be tape-recorded; providing a training program for child protection workers and requiring a new job classification in child protection; 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; 260.171, subdivision 4; 260.172, subdivision 4, and by adding subdivisions; 260.191, subdivision 1, and by adding subdivisions; 260.301; 595.02, subdivision 3; 609.364 to 609.3644; and 630.36; proposing coding for new law in Minnesota Statutes, chapters 626 and 631.

The Senate has appointed as such Committee Ms. Reichgott, Messrs. Petty, Spear, Knaak and Storm.

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. 1109, A bill for an act relating to state government; concerning the state procurement of goods and services from

small businesses; modifying geographical distribution requirements and preference program limitations; amending Minnesota Statutes 1984, section 16B.19, subdivisions 5, 6, 9, and by adding a subdivision; 16B.21, subdivision 1; 16B.22; and 645.445, subdivision 5.

The Senate has appointed as such Committee Mrs. Adkins, Mr. Bernhagen and Ms. Peterson, D. C.

Said House File is herewith returned to the House.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

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

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.

And the Senate respectfully requests that a Conference Committee be appointed thereon. The Senate has appointed as such committee Messrs. Diessner, Ramstad, Purfeerst, Solon and Johnson, D. E.

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

Schafer 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. 5. The motion prevailed.

Mr. Speaker:

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

S. F. No. 118.

The Senate has repassed said bill in accordance with the recommendation and report of the Conference Committee.

Said Senate File is herewith transmitted to the House.

PATRICK E. FLAHAVERN, Secretary of the Senate

CONFERENCE COMMITTEE REPORT ON S. F. NO. 118

A bill for an act relating to public employee labor relations; regulating public employee mediation; regulating mediation and strikes concerning teachers; providing for arbitration awards in principal and assistant principal disputes; providing penalties; amending Minnesota Statutes 1984, sections 179A.14, subdivision 1; 179A.15; 179A.16, subdivision 7; 179A.17, subdivision 1; 179A.18, subdivisions 2 and 3; and 179A.20, subdivision 3.

April 25, 1985

The Honorable Jerome M. Hughes
President of the Senate

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

We, the undersigned conferees for S. F. No. 118, report that we have agreed upon the items in dispute and recommend as follows:

That the House recede from its amendment and that S. F. No. 118 be further amended as follows:

Delete everything after the enacting clause and insert:

“Section 1. Minnesota Statutes 1984, section 179A.04, subdivision 3, is amended to read:

Subd. 3. [OTHER DUTIES.] The director shall:

(a) provide mediation services as requested by the parties until the parties reach agreement. The director may continue to assist parties after they have submitted their final positions for interest arbitration;

(b) issue notices, subpoenas, and orders required by law to carry out duties under sections 179A.01 to 179A.25;

(c) certify to the board items of dispute between parties subject to action of the board under section 179A.16;

(d) assist the parties in formulating petitions, notices, and other papers required to be filed with the director or the board;

(e) certify the final results of any election or other voting procedure conducted under sections 179A.01 to 179A.25;

(f) adopt rules regulating the forms of petitions, notices, and orders; and the conduct of hearings and elections;

(g) receive, catalogue, and file all orders and decisions of the board, all decisions of arbitration panels authorized by sections 179A.01 to 179A.25, all grievance arbitration decisions, and the director's orders and decisions. All orders and decisions catalogued and filed shall be readily available to the public;

(h) adopt, subject to chapter 14, a grievance procedure to fulfill the purposes of section 179A.20, subdivision 4. The grievance procedure shall not provide for the services of the bureau of mediation services. The grievance procedure shall be available to any employee in a unit not covered by a contractual grievance procedure;

(i) conduct elections;

(j) maintain a schedule of state employee classifications or positions assigned to each unit established in section 179A.10, subdivision 2;

(k) collect such fees as are established by rule for empanelment of persons on the labor arbitrator roster maintained by the director or in conjunction with fair share fee challenges.

Sec. 2. Minnesota Statutes 1984, section 179A.05, subdivision 4, is amended to read:

Subd. 4. [OTHER POWERS.] In addition to the other powers and duties given it by law, the board has the following powers and duties:

(a) to hear and decide appeals from determinations of the director relating to "supervisory employee," "confidential employee," "essential employee," or "professional employee";

(b) to hear and decide appeals from determinations of the director relating to the appropriateness of a unit;

(c) to hear and decide on the record, determinations of the director relating to a fair share fee challenge;

(d) *collect such fees as are established by rule for empanelment of persons on the labor arbitrator roster maintained by the board.*

Sec. 3. Minnesota Statutes 1984, section 179A.14, subdivision 1, is amended to read:

Subdivision 1. [INITIATION OF NEGOTIATION.] (a) When employees or their representatives desire to meet and negotiate an *initial* agreement establishing terms and conditions of employment, they shall give written notice to the employer and the director. The employer has ten days from receipt of the notice to object or refuse to recognize the employees' representative or the employees as an appropriate unit. If the employer does not object within ten days, the employer must recognize the employee representative for purposes of reaching agreement on terms and conditions of employment for the represented employees. If the employer does object, the employer or employees' representative may petition the director to take jurisdiction of the matter and the director shall investigate the petition.

(b) *When a party to a contract desires to meet and negotiate an agreement subsequent to the initial agreement, the party shall give written notice to the other party and to the director at least 60 days before the termination date of the existing contract. If a party fails to give the required 60-day notice, the party is subject to a fine of \$10 per day for each day the notice is late. The fine for late notice may be waived at the discretion of the director if the director finds that the failure to give timely notice did not prejudice the director or the other party in the fulfillment of their responsibilities and duties. The fine for late notice shall be the only penalty for late notice under this paragraph.*

Sec. 4. Minnesota Statutes 1984, section 179A.15, is amended to read:

179A.15 [MEDIATION.]

Once notice has been given under section 179A.14, the employer or the exclusive representative may petition the director for mediation services.

A petition by an employer shall be signed by the employer or an authorized officer or agent. A petition by an exclusive representative shall be signed by its authorized officer. All petitions shall be delivered to the director in person or sent by certified mail. The petition shall state briefly the nature of the disagreement of the parties. Upon receipt of a petition *and upon*

concluding that mediation would be useful, the director shall fix a time and place for a conference with the parties to negotiate the issues not agreed upon, and shall then take the most expedient steps to bring about a settlement, including assisting in negotiating and drafting an agreement.

If the director (MAY, AT THE REQUEST OF A PARTY TO A LABOR DISPUTE, ASSIST IN SETTLING) determines that mediation would be useful in resolving a dispute, the director may mediate the dispute even if (NO PETITION) neither party has (BEEN) filed a petition for mediation. In these cases, the director shall proceed as if a petition had been filed.

The director shall not furnish mediation services to any employee or employee representative who is not certified as an exclusive representative.

All parties shall respond to the summons of the director for conferences and shall continue in conference until excused by the director. (HOWEVER, FOR OTHER THAN ESSENTIAL EMPLOYEES, MEDIATION CONFERENCES FOLLOWING: (1) THE EXPIRATION DATE OF A COLLECTIVE BARGAINING AGREEMENT, OR (2) IN THE CASE OF TEACHERS, MEDIATION OVER A PERIOD OF 60 DAYS AFTER THE EXPIRATION DATE OF A COLLECTIVE BARGAINING AGREEMENT SHALL CONTINUE ONLY FOR DURATIONS AGREEABLE TO BOTH PARTIES.)

Sec. 5. Minnesota Statutes 1984, section 179A.16, subdivision 7, is amended to read:

Subd. 7. [DECISION BY THE PANEL.] The panel's order shall be issued by a majority vote of its members. The order shall resolve the issues in dispute between the parties as submitted by the board. *For principals and assistant principals, the panel shall be restricted to selecting between the final offers of the parties on each impasse item. For other employees, if the parties agree in writing, the panel shall be restricted to selecting between the final offers of the parties on each impasse item, or the final offer of one or the other parties in its entirety. In considering a dispute and issuing its order, the panel shall consider the statutory rights and obligations of public employers to efficiently manage and conduct their operations within the legal limitations surrounding the financing of these operations. The panel's decision and order shall be final and binding on all parties.*

The panel shall render its order within ten days from the date that all arbitration proceedings have concluded. However, the panel must issue its order by the last date the employer is required by statute, charter, ordinance, or resolution to submit its tax levy or budget or certify its taxes voted to the appropriate public officer, agency, public body or office, or by November 1, whichever date is earlier. The panel's order shall be for the pe-

riod stated in the order, except that orders determining contracts for teacher units shall be effective to the end of the contract period determined by section 179A.20.

The panel shall send its decision and orders to the board, the director, the appropriate representative of the public employer, and the employees. If any issues submitted to arbitration are settled voluntarily before the arbitrator issues a decision, the arbitrator shall report the settlement to the board and the director.

The parties may at any time prior to or after issuance of an order of the arbitration panel, agree upon terms and conditions of employment regardless of the terms and conditions of employment determined by the order. The parties shall, if so agreeing, execute a written contract or memorandum of contract.

Sec. 6. Minnesota Statutes 1984, section 179A.17, subdivision 1, is amended to read:

179A.17 [NEW EXCLUSIVE REPRESENTATIVES.]

Subdivision 1. [FOR TEACHERS.] If a new or different exclusive representative of teachers employed by a local school district is certified by the director at any time other than the period between 120 days before the termination date of a contract and the termination date of the contract, or if on July 1 of any odd-numbered year a representation proceeding involving the employer and the employer's teachers is before the director, section 179A.18, subdivision 2, clause (1), shall apply. In those cases, however, the employer and the exclusive representative of the teachers shall execute a written contract or memorandum of contract no later than 60 days after a certification by the director of a new or different exclusive representative or the resolution by the director of a representation proceeding. Either party may petition the director of mediation services for assistance in reaching an agreement. If the employer and the exclusive representative of the teachers fail to execute a contract by 60 days after the certification of a new or different exclusive representative or the resolution by the director of a representation proceeding, they shall be conclusively presumed to be at an impasse after having participated in mediation (SESSIONS OVER A PERIOD OF NO LESS THAN 60 DAYS) as specified in section 179A.18, subdivision 2, clause (1)(b).

Sec. 7. Minnesota Statutes 1984, section 179A.18, subdivision 2, is amended to read:

Subd. 2. [SCHOOL DISTRICT REQUIREMENTS.] Except as otherwise provided by section 179A.17, subdivision 1, teachers employed by a local school district, other than principals and assistant principals, may strike only under the following circumstances:

(1) (a) the collective bargaining agreement between their exclusive representative and their employer has expired or, if there is no agreement, impasse under section 179A.17, subdivision 1, has occurred; and

(b) the exclusive representative and the employer have participated in mediation over a period of at least (60 DAYS,) 30 days (OF WHICH HAVE OCCURRED AFTER THE EXPIRATION DATE OF THE COLLECTIVE BARGAINING AGREEMENT, PROVIDED THAT THE MEDIATION PERIOD ESTABLISHED BY SECTION 179A.17, SUBDIVISION 1, SHALL GOVERN NEGOTIATIONS PURSUANT TO THAT SECTION). For the purposes of this subclause the mediation period commences on the day (FOLLOWING RECEIPT BY THE DIRECTOR OF A REQUEST FOR MEDIATION) *that a mediator designated by the director first attends a conference with the parties to negotiate the issues not agreed upon*; and

(c) *neither party has requested interest arbitration or a request for binding interest arbitration has been rejected*; or

(2) (45 DAYS AFTER IMPASSE UNDER SECTION 179A.16, SUBDIVISION 1, NEITHER PARTY HAS REQUESTED INTEREST ARBITRATION; OR)

(3) the employer violates section 179A.13, subdivision 2, clause (9).

Sec. 8. Minnesota Statutes 1984, section 179A.18, subdivision 3, is amended to read:

Subd. 3. [NOTICE.] In addition to the other requirements of this section, no employee may strike unless written notification of intent to strike is served on the employer and the director by the exclusive representative at least ten days prior to the commencement of the strike. *For all employees other than teachers, if more than 30 days have expired after service of a notification of intent to strike, no strike may commence until ten days after service of a new written notification. For teachers, no strike may commence more than 25 days after service of notification of intent to strike unless, before the end of the 25-day period, the exclusive representative and the employer agree that the period during which a strike may commence shall be extended for an additional period not to exceed five days. Teachers are limited to one notice of intent to strike for each contract negotiation period, provided, however, that a strike notice may be renewed for an additional ten days, the first five of which shall be a notice period during which no strike may occur, if the following conditions have been satisfied:*

(1) *an original notice was provided pursuant to this section; and*

(2) *a tentative agreement to resolve the dispute was reached during the original strike notice period; and*

(3) *such tentative agreement was rejected by either party during or after the original strike notice period.*

The first day of the renewed strike notice period shall commence on the day following the expiration of the previous strike notice period or the day following the rejection of the tentative agreement, whichever is later. Notification of intent to strike under subdivisions 1, clause (1); and 2, clause (1), may not be served until the collective bargaining agreement has expired, or if there is no agreement, on or after the date impasse under section 179A.17 has occurred. (NOTIFICATION OF INTENT TO STRIKE UNDER SUBDIVISION 2, CLAUSE (2), MAY NOT BE SERVED BEFORE THE 45TH DAY FOLLOWING AN IMPASSE UNDER SECTION 179A.16, SUBDIVISION 1.)

Sec. 9. [EFFECTIVE DATE.]

Sections 3 to 8 are effective the day following final enactment. However, the 60-day notice requirement imposed in section 3 does not apply in 1985 if sections 3 to 8 become effective after April 25, 1985. In this event, the notice required by section 3 must be given within 30 days of the effective date of sections 3 to 8."

Delete the title and insert:

"A bill for an act relating to public employee labor relations; regulating public employee mediation; regulating mediation and strikes concerning teachers; providing for arbitration awards in principal and assistant disputes; providing penalties; amending Minnesota Statutes 1984, sections 179A.04, subdivision 3; 179A.05, subdivision 4; 179A.14, subdivision 1; 179A.15; 179A.16, subdivision 7; 179A.17, subdivision 1; 179A.18, subdivisions 2 and 3."

We request adoption of this report and repassage of the bill.

Senate Conferees: TOM A. NELSON, RONALD R. DICKLICH and LYLE G. MEHRKENS.

House Conferees: STEVE SVIGGUM, HARRIET MCPHERSON and KEN NELSON.

Sviggum moved that the report of the Conference Committee on S. F. No. 118 be adopted and that the bill be repassed as amended by the Conference Committee. The motion prevailed.

S. F. No. 118, A bill for an act relating to public employee labor relations; regulating public employee mediation; regulating me-

diation and strikes concerning teachers; providing for arbitration awards in principal and assistant principal disputes; providing penalties; amending Minnesota Statutes 1984, sections 179A.14, subdivision 1; 179A.15; 179A.16, subdivision 7; 179A.-17, subdivision 1; 179A.18, subdivisions 2 and 3; and 179A.20, subdivision 3.

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

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

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

Mr. Speaker:

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

S. F. Nos. 1036 and 1118.

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. 429, 832, 925, 1171 and 1506.

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. 1176.

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. 45, 821 and 1225.

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. 1414 and 1434.

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. 363.

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. 492, 565 and 830.

PATRICK E. FLAHAVEN, Secretary of the Senate

FIRST READING OF SENATE BILLS

S. F. No. 1036, A bill for an act relating to domestic abuse; providing for service by publication under certain circumstances under the Domestic Abuse Act; clarifying relief and providing for additional relief; amending Minnesota Statutes 1984, section 518B.01, subdivisions 4, 5, 6, and 7.

The bill was read for the first time.

Greenfield moved that S. F. No. 1036 and H. F. No. 1205, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 1118, A bill for an act relating to agriculture; requiring lender's response for an agricultural production input lien be sent to borrowers; providing filing procedure; authorizing rules; amending Minnesota Statutes 1984, sections 514.952, subdivisions 2, 3, 4, and 5; 514.954, subdivision 1; 514.956, subdivision 3, and by adding a subdivision.

The bill was read for the first time.

Brinkman moved that S. F. No. 1118 and H. F. No. 1317, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 429, A bill for an act relating to industrial development bonds; requiring the refund of application deposit to the city of Fergus Falls; appropriating money for the refund.

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

S. F. No. 832, A bill for an act relating to the University of Minnesota; changing restrictions on the permanent university fund so that the fund can be used to help endow professorial chairs; appropriating money; amending Minnesota Statutes 1984, section 137.022.

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

S. F. No. 925, A bill for an act relating to economic development; granting certain powers to municipalities; amending Minnesota Statutes 1984, sections 16B.61, subdivision 3; 273.73, subdivisions 9, 12, and by adding a subdivision; 273.74, subdivision 3; 273.75, subdivision 1, and by adding a subdivision; 273.76, subdivision 1; 458.16, by adding a subdivision; 462.352, subdivisions 5, 7, 9, 10, 15, and by adding a subdivision; 462.357, subdivision 1; 462.358, subdivision 2a; 472.08, subdivision 1; 472A.03; 474.02, by adding a subdivision; Laws 1980, chapter 595, section 3, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 465; and proposing coding for new law as Minnesota Statutes, chapter 472B.

The bill was read for the first time.

Pauly moved that S. F. No. 925 and H. F. No. 922, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 1171, A bill for an act relating to state lands; conveying land to Olmsted county.

The bill was read for the first time.

Bishop moved that S. F. No. 1171 and H. F. No. 1253, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 1506, A bill for an act authorizing the city of Waseca to establish and provide taxes and service charges for a special service district; authorizing the city of Albert Lea to establish a port authority; authorizing the city of Austin to establish a port authority.

The bill was read for the first time.

Schoenfeld moved that S. F. No. 1506 and H. F. No. 1633, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 1176, A bill for an act relating to children; requiring a new job classification in child protection; requiring continuing education; providing for a joint training program; requiring a report to the legislature; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 626.

The bill was read for the first time.

Blatz moved that S. F. No. 1176 and H. F. No. 1107, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 45, A bill for an act relating to drainage; recodifying the drainage law; amending Minnesota Statutes 1984, sections 40.072, subdivisions 3, 4, 5, 6, and 9; 40.073; 88.43, subdivision 2; 97.484; 97.50, subdivision 1; 105.42, subdivision 1; 105.471; 105.74; 105.81; 111.09, subdivision 2; 111.11; 111.13; 111.30; 111.31; 111.36; 111.78; 112.431, subdivision 2; 112.48, subdivision 1; 112.50; 112.501, subdivision 1; 112.541; 112.59; 112.60, subdivisions 1, 2, and 3; 112.64, subdivisions 2 and 3; 112.65, subdivision 1; 161.28, subdivision 1; 163.17; 357.021, subdivision 2; 375.471; 471.345, subdivision 3; 473.877, subdivision 1; and 473.-878, subdivision 4; proposing coding for new law as Minnesota Statutes, chapter 106A; repealing Minnesota Statutes 1984, chapter 106 and section 109.38.

The bill was read for the first time.

Jennings, L., moved that S. F. No. 45 and H. F. No. 442, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 821, A bill for an act relating to unclaimed property; extending coverage to corporate stock and other ownership interests; amending Minnesota Statutes 1984, sections 345.35; 345.-43; and 345.47.

The bill was read for the first time.

Tomlinson moved that S. F. No. 821 and H. F. No. 883, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 1225, A bill for an act relating to agriculture; exempting manufactured home parks and recreational camping areas from food handling licenses; regulating organically grown foods; amending Minnesota Statutes 1984, section 28A.15, subdivision 5; proposing coding for new law in Minnesota Statutes, chapter 31.

The bill was read for the first time.

Ogren moved that S. F. No. 1225 and H. F. No. 1086, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 1414, A bill for an act relating to the city of Plymouth; authorizing the reassessment of special assessments against certain lands in the city.

The bill was read for the first time.

Shaver moved that S. F. No. 1414 and H. F. No. 1490, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 1434, A bill for an act relating to real estate; providing for service in forcible entry and unlawful detainer actions; amending Minnesota Statutes 1984, section 566.06.

The bill was read for the first time.

McPherson moved that S. F. No. 1434 and H. F. No. 1129, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 363, A bill for an act relating to state government; proposing an amendment to the Minnesota Constitution, article IV, section 23; article V, sections 1, 3, and 4; article VII, section 8; article VIII, section 2; article XI, sections 6, 7, 8, and 10; and article XIII, section 11; combining the offices of state treasurer, state auditor, and secretary of state into the office of state comptroller; providing that the first comptroller would be elected in 1990; transferring the powers, responsibilities, and duties of the state auditor, the secretary of state, and the state treasurer to the state comptroller.

The bill was read for the first time and referred to the Committee on Rules and Legislative Administration.

S. F. No. 492, A bill for an act relating to veterans; requiring the commissioner of veterans affairs to provide certain grave markers; appropriating money; amending Minnesota Statutes 1984, section 197.23.

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

S. F. No. 565, A bill for an act relating to animals; prohibiting the use of a decompression chamber to destroy an animal; imposing a penalty; proposing coding for new law in Minnesota Statutes, chapter 343.

The bill was read for the first time.

Kelly moved that S. F. No. 565 and H. F. No. 834, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 830, A bill for an act relating to courts; eliminating certain mileage expenses that court reporters may claim for reimbursement; eliminating the requirement that a court reporter reside in the district in which he or she is appointed; amending Minnesota Statutes 1984, section 486.05, subdivision 1.

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

There being no objection the order of business reverted to Reports of Chief Clerk.

REPORTS OF CHIEF CLERK

S. F. No. 1219 and H. F. No. 1279, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

SUSPENSION OF RULES

Waltman moved that the rules be so far suspended that S. F. No. 1219 be substituted for H. F. No. 1279 and that the House File be indefinitely postponed. The motion prevailed.

SECOND READING OF SENATE BILLS

S. F. No. 1219 was read for the second time.

ANNOUNCEMENTS BY THE SPEAKER

The Speaker announced the appointment of the following members of the House to a Conference Committee on H. F. No. 418:

Dempsey, Ozment and Jennings, L.

The Speaker announced the appointment of the following members of the House to a Conference Committee on H. F. No. 1641:

DenOuden, Piepho, Bishop, Miller and Battaglia.

The Speaker announced the appointment of the following members of the House to a Conference Committee on S. F. No. 5:

Schafer, Gutknecht, McKasy, Valento and Kelly.

REPORT FROM THE COMMITTEE ON RULES AND LEGISLATIVE ADMINISTRATION

Levi, from the Committee on Rules and Legislative Administration, pursuant to Rule 1.9, designated the following bills as Special Orders for today, Monday, May 13, 1985, immediately preceding General Orders:

H. F. Nos. 1589, 442, 229, 607 and 1369; S. F. Nos. 954, 196, 583, 901 and 623; H. F. No. 857; S. F. Nos. 986, 71, 207, 1254, 952, 676 and 43; H. F. No. 671 and S. F. No. 40.

SPECIAL ORDERS

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. | Frederickson | Long | Pappas | Skoglund |
| Backlund | Frerichs | Marsh | Peterson | Solberg |
| Battaglia | Greenfield | McDonald | Piepho | Sparby |
| Beard | Gruenes | McEachern | Piper | Stanius |
| Begich | Gutknecht | McKasy | Poppenhagen | Staten |
| Bennett | Halberg | McLaughlin | Price | Sviggum |
| Bishop | Hartinger | McPherson | Quinn | Thiede |
| Blatz | Hartle | Metzen | Quist | Thorson |
| Boerboom | Heap | Miller | Redalen | Tjornhom |
| Brown | Himle | Minne | Rest | Tomlinson |
| Burger | Jacobs | Murphy | Richter | Tompkins |
| Carlson, L. | Jaros | Nelson, K. | Rodosovich | Uphus |
| Clausnitzer | Johnson | Neuenschwander | Rose | Valan |
| Coben | Kalis | Norton | Sarna | Valento |
| Dempsey | Keily | O'Connor | Schafer | Vellenga |
| DenOuden | Kiffmeyer | Ogren | Scheid | Voss |
| Dimler | Knickerbocker | Olsen, S. | Schoenfeld | Waltmaa |
| Elioff | Knuth | Olsen, E. | Schreiber | Welle |
| Erickson | Krueger | Omann | Seaberg | Wenzel |
| Fjoslien | Kvam | Onnen | Segal | Zaffke |
| Forsythe | Levi | Osthoff | Shaver | Spk. Jennings, D. |
| Frederick | Lieder | Otis | Simoneau | |

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

Vellenga was excused between the hours of 1:15 p.m. and 3:00 p.m.

Stanius was excused while in conference.

H. F. No. 1589, A bill for an act relating to collection and dissemination of data; classifying government data as confidential, private, nonpublic, protected nonpublic, and public; clarifying issues relating to classifications of data, access to data, the effect of death of individuals on classifications, and classifications of inactive investigative data; refining provisions of the data practices act; authorizing a court to order the release of certain information; amending Minnesota Statutes 1984, sections 13.03, subdivision 3, and by adding subdivisions; 13.08, subdivision 1, and by adding a subdivision; 13.09; 13.32, subdivision 1, and by adding a subdivision; 13.39, by adding a subdivision; 13.43, subdivision 4; 13.46, subdivisions 1, 2, 3, 7, and 10; 13.65, subdivision 1; 13.71; 13.72, by adding subdivisions; 13.82, subdivisions 1 and 5, and by adding subdivisions; 13.83, by adding a subdivision; 13.84,

subdivisions 1 and 6; 144.335, subdivision 2; and 254A.09; repealing Minnesota Statutes 1984, sections 13.73 and 13.81; proposing coding for new law in Minnesota Statutes, chapters 13 and 144.

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

The question was taken on the passage of the bill and the roll was called. There were 113 yeas and 0 nays as follows:

Those who voted in the affirmative were:

| | | | | |
|--------------|---------------|----------------|-------------|-------------------|
| Anderson, G. | Frerichs | Long | Pauly | Skoglund |
| Backlund | Greenfield | Marsh | Peterson | Solberg |
| Battaglia | Cruenes | McDonald | Piepho | Sparby |
| Beard | Gutknecht | McEachern | Piper | Stanius |
| Begich | Hartinger | McLaughlin | Poppenhagen | Staten |
| Blatz | Hartle | McPherson | Price | Swiggum |
| Boerboom | Haukoos | Metzen | Quinn | Thiede |
| Boo | Heap | Miller | Quist | Thorson |
| Brandl | Himle | Munger | Redalen | Tjornhom |
| Brown | Jacobs | Murphy | Rest | Tomlinson |
| Burger | Jaros | Nelson, D. | Rice | Tompkins |
| Carlson, D. | Jennings, L. | Nelson, K. | Richter | Uphus |
| Carlson, L. | Johnson | Neuenschwander | Riveness | Valan |
| Clausnitzer | Kahn | Norton | Rodosovich | Valento |
| Cohen | Kalis | O'Connor | Rose | Vanasek |
| Dempsey | Kelly | Ogren | Sarna | Voss |
| DenOuden | Kiffmeyer | Olsen, S. | Schafer | Waltman |
| Dyke | Knickerbocker | Olson, E. | Scheid | Wenzel |
| Elioff | Knuth | Omman | Schoenfeld | Wynia |
| Fjoslien | Kostohryz | Onnen | Seaberg | Zaffke |
| Forsythe | Krueger | Osthoff | Segal | Spk. Jennings, D. |
| Frederick | Levi | Ozment | Shaver | |
| Frederickson | Lieder | Pappas | Simoneau | |

The bill was passed and its title agreed to.

H. F. No. 229, A bill for an act relating to retirement; early retirement without reduction in annuities; amending Minnesota Statutes 1984, section 356.70, subdivision 1.

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

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

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

There were 115 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.

H. F. No. 607, A bill for an act relating to retirement; authorizing municipalities to establish and finance defined contribution plans for municipal ambulance and rescue volunteers; amending Minnesota Statutes 1984, sections 356.24; and 356.25; proposing coding for new law as Minnesota Statutes, chapter 424B.

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.

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

There were 119 yeas and 0 nays as follows:

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|--------------|--------------|---------------|
| Anderson, G. | Brown | Erickson | Haukoos | Knickerbocker |
| Backlund | Burger | Fjoslien | Heap | Knuth |
| Battaglia | Carlson, D. | Forsythe | Himle | Kostohryz |
| Beard | Carlson, J. | Frederick | Jacobs | Krueger |
| Begich | Carlson, L. | Frederickson | Jaros | Levi |
| Bennett | Clausnitzer | Frerichs | Jennings, L. | Lieder |
| Bishop | Cohen | Greenfield | Johnson | Long |
| Blatz | Dempsey | Gruenes | Kahn | Marsh |
| Boerboom | Dimler | Gutknecht | Kalis | McDonald |
| Boo | Dyke | Hartinger | Kelly | McEachern |
| Brandl | Elioff | Hartle | Kiffmeyer | McKasy |

| | | | | |
|----------------|-------------|------------|----------|-------------------|
| McLaughlin | Olsen, S. | Quinn | Seaberg | Tomlinson |
| McPherson | Olson, E. | Quist | Segal | Tompkins |
| Metzen | Omann | Redalen | Shaver | Uphus |
| Miller | Onnen | Rest | Simoneau | Valan |
| Minne | Osthoff | Rice | Skoglund | Valento |
| Munger | Ozment | Richter | Solberg | Vanasek |
| Murphy | Pappas | Riveness | Sparby | Voss |
| Nelson, D. | Pauly | Rodosovich | Stanius | Waltman |
| Nelson, K. | Peterson | Rose | Staten | Wenzel |
| Neuenschwander | Piepho | Sarna | Sviggum | Wynia |
| Norton | Piper | Schafer | Thiede | Zaffke |
| O'Connor | Poppenhagen | Scheid | Thorson | Spk. Jennings, D. |
| Ogren | Price | Schoenfeld | Tjornhom | |

The bill was passed and its title agreed to.

H. F. No. 1369, A bill for an act relating to retirement; Moorhead police and firefighters relief associations; clarifying receipt of amortization state aid; consolidation into the public employees police and fire fund; terminating the special fund of the Moorhead firefighters relief association; transferring of assets and records; amending Minnesota Statutes 1984, section 423A.02; repealing Laws 1945, chapter 277; Laws 1951, chapter 499; Laws 1955, chapter 75; Laws 1965, chapter 190; Laws 1967, chapter 775; Laws 1969, chapter 138; Laws 1975, chapter 120; Laws 1978, chapter 563, section 8; Laws 1979, chapter 216, sections 27 to 43; Laws 1980, chapter 600, section 16; Laws 1981, chapter 224, section 236; and Laws 1982, chapter 578, article 3, section 18.

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.

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

There were 119 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

| | | | | |
|-------------|------------|------------|-----------|-------------------|
| Pappas | Redalen | Schoenfeld | Staten | Valento |
| Pauly | Rest | Schreiber | Svigum | Vanasek |
| Peterson | Rice | Seaberg | Thiede | Voss |
| Piepho | Richter | Segal | Thorson | Waltman |
| Piper | Riveness | Shaver | Tjornhom | Wenzel |
| Poppenhagen | Rodosovich | Simoneau | Tomlinson | Wynia |
| Price | Sarna | Skoglund | Tompkins | Zaffke |
| Quinn | Schafer | Sparby | Uphus | Spk. Jennings, D. |
| Quist | Scheid | Stanisus | Valan | |

The bill was passed and its title agreed to.

S. F. No. 954 was reported to the House.

There being no objection S. F. No. 954 was temporarily laid over on Special Orders.

S. F. No. 196 was reported to the House.

Levi moved to amend S. F. No. 196, the unofficial engrossment, as follows:

Page 5, line 34, after "*actions*" insert a comma

Page 6, line 19, delete "*that*" and insert "*who*"

Page 6, line 23, after "*actions*" insert a comma

Page 10, lines 29 to 31, delete the new language

Page 10, lines 35 and 36, delete the new language

Page 11, delete line 1

Page 11, line 2, delete everything before "*The*"

Page 12, after line 26, insert:

"Sec. 14. Minnesota Statutes 1984, section 626.556, subdivision 10b, is amended to read:

Subd. 10b. [DUTIES OF COMMISSIONER; NEGLECT OR ABUSE IN A FACILITY.] If the report alleges that a child in the care of a facility as defined in subdivision 2 is neglected, physically abused, or sexually abused by an (INDIVIDUAL) *employee, contractee, or adult volunteer* in that facility, the commissioner shall immediately investigate. The commissioner shall arrange for the transmittal to him of reports received by local agencies and may delegate to a local welfare agency the duty to investigate reports. In conducting an investigation under this section, the commissioner has the powers and duties specified for local welfare agencies under this section."

Remember the remaining section

Page 14, line 5, after "notification" insert "of intent to interview"

Page 14, line 5, delete everything after "which" and insert "was received by a school"

Page 14, line 6, delete "child's school record" and after "10" insert ", paragraph (c),"

Amend the title as follows:

Page 1, line 12, after "10," insert "10b,"

The motion prevailed and the amendment was adopted.

The Speaker called Halberg to the Chair.

S. F. No. 196, A bill for an act relating to crimes; requiring the county attorney to prosecute failure to report child abuse or neglect; providing for the reporting of child abuse or neglect; defining certain terms; clarifying immunity from liability for reporting child abuse or neglect; providing for concise summaries of disposition of reports; making technical changes; prescribing penalties; amending Minnesota Statutes 1984, sections 388.051, subdivision 2; and 626.556, subdivisions 1, 2, 3, 4, 4a, 5, 6, 9, and 11.

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 118 yeas and 0 nays as follows:

Those who voted in the affirmative were:

| | | | | |
|--------------|--------------|---------------|----------------|-------------|
| Anderson, G. | Dyke | Johnson | Miller | Poppenhagen |
| Backlund | Elioff | Kahn | Minne | Price |
| Battaglia | Erickson | Kalis | Munger | Quinn |
| Beard | Fjoslien | Kelly | Murphy | Quist |
| Becklin | Forsythe | Kiffmeyer | Nelson, D. | Redalen |
| Begich | Frederick | Knickerbocker | Nelson, K. | Rest |
| Bennett | Frederickson | Knuth | Neuenschwander | Richter |
| Bishop | Frerichs | Kostohryz | Norton | Riveness |
| Blatz | Greenfield | Krueger | O'Connor | Rodosovich |
| Boerboom | Gruenes | Kvam | Ogren | Rose |
| Boo | Gutknecht | Levi | Olsen, S. | Sarna |
| Brandl | Halberg | Lieder | Olsen, E. | Schafer |
| Brown | Hartinger | Long | Omann | Scheid |
| Burger | Hartle | Marsh | Onnen | Schoenfeld |
| Carlson, D. | Haukoos | McDonald | Otis | Seaberg |
| Carlson, J. | Heap | McEachern | Ozment | Segal |
| Carlson, L. | Himle | McKasy | Pappas | Shaver |
| Clausnitzer | Jacobs | McLaughlin | Peterson | Simoneau |
| Cohen | Jaros | McPherson | Piepho | Skoglund |
| Dempsey | Jennings, L. | Metzen | Piper | Solberg |

| | | | | |
|---------|-----------|----------|---------|-------------------|
| Sparby | Thiede | Tompkins | Vanasek | Wenzel |
| Stanius | Thorson | Uphus | Voss | Wynia |
| Staten | Tjornhom | Valan | Waltman | Spk. Jennings, D. |
| Sviggum | Tomlinson | Valento | | |

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

S. F. No. 583 was reported to the House.

There being no objection S. F. No. 583 was temporarily laid over on Special Orders.

S. F. No. 901 was reported to the House.

Thiede moved to amend S. F. No. 901, as follows:

Page 4, line 25, delete "*within*"

Page 4, delete line 26

Page 4, line 27, delete "*shall*" and insert "*at least once a month. This payment must*"

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

S. F. No. 901, A bill for an act relating to human services; increasing incentives for enforcing and collecting child support; requiring child support or maintenance obligors to file address or residence changes; amending Minnesota Statutes 1984, sections 256.74, subdivisions 1 and 5; 256.87, subdivisions 1a and 3; 257.58, subdivision 1; 518.55, by adding a subdivision; 518.551, subdivision 7; 518.611, subdivisions 2, 3, 4, and 6, and by adding a subdivision; 518.645; 543.20; repealing Minnesota Statutes 1984, section 257.62, subdivision 4.

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.

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

There were 121 yeas and 0 nays as follows:

Those who voted in the affirmative were:

| | | | | |
|--------------|-----------|---------|----------|----------|
| Anderson, G. | Battaglia | Begich | Blatz | Brandl |
| Anderson, R. | Beard | Bennett | Boerboom | Brinkman |
| Backlund | Becklin | Bishop | Boo | Brown |

| | | | | |
|--------------|---------------|----------------|-------------|-------------------|
| Burger | Hartle | McLaughlin | Piepho | Stanius |
| Carlson, D. | Hankooos | McPherson | Piper | Staten |
| Carlson, J. | Heap | Metzen | Poppenhagen | Sviggum |
| Carlson, L. | Himle | Miller | Price | Thiede |
| Clark | Jacobs | Minne | Quinn | Thorson |
| Clausnitzer | Jaros | Murphy | Quist | Tjornhom |
| Cohen | Jennings, L. | Nelson, D. | Redalen | Tomlinson |
| Dempsey | Johnson | Nelson, K. | Rest | Uphus |
| Dyke | Kahn | Neuenschwander | Rice | Valan |
| Elioff | Kelly | Norton | Richter | Valento |
| Ellingson | Kiffmeyer | O'Connor | Riveness | Vanasek |
| Erickson | Knickerbocker | Ogren | Rodosovich | Voss |
| Fjoslien | Knuth | Olsen, S. | Sarna | Waltman |
| Forsythe | Kostohryz | Olsen, E. | Schafer | Welle |
| Frederick | Krueger | Omann | Scheid | Wenzel |
| Frederickson | Kvam | Onnen | Schoenfeld | Wynia |
| Frerichs | Levi | Osthoff | Seaberg | Zaffke |
| Greenfield | Lieder | Otis | Shaver | Spk. Jennings, D. |
| Gruenes | Long | Ozment | Simoneau | |
| Gutknecht | Marsh | Pappas | Skoglund | |
| Halberg | McDonald | Pauly | Solberg | |
| Hartinger | McEachern | Peterson | Sparby | |

The bill was passed and its title agreed to.

Kalis, Valan, Seaberg, Poppenhagen and Johnson were excused while in conference.

S. F. No. 954 which was temporarily laid over earlier today was again reported to the House.

Olsen, S.; Scheid; Fjoslien and Burger moved to amend S. F. No. 954, as follows:

Delete everything after the enacting clause and insert:

“Section 1. [197.131] [BOARD OF GOVERNORS—BIG ISLAND VETERANS CAMP.]

Subdivision 1. [CREATION AND MEMBERSHIP.] The board of governors of the Big Island Veterans Camp—Lake Minnetonka supervises and manages the camp. The board consists of nine members. Two members each are appointed by the state level organization of the American Legion, the Disabled American Veterans, the Military Order of the Purple Heart, and the Veterans of Foreign Wars provided that at least two appointees are Vietnam veterans. The commissioner of veterans affairs or the commissioner's designee may attend and participate in an advisory capacity at any of the board meetings. The term of each member of the board is two years or until the appointment and qualification of a successor. The board selects a chairperson and secretary from its membership who serve terms of one year.

Subd. 2. [VACANCIES AND REMOVAL.] A member of the board may be removed at any time by the organization ap-

pointing that member. Also, by written notice to the appointing organization, the board may remove the member if the member has been absent for three consecutive meetings of the board. To remove a member, the board must notify in writing the appointing organization and the member after the second consecutive missed meeting that the member may be removed if the next meeting is missed. Any vacancy on the board is filled for the remainder of the unexpired term in the same manner as the original appointment.

Sec. 2. [197.132] [POWERS AND DUTIES.]

The board of governors of the Big Island Veterans Camp—Lake Minnetonka establishes policies for the proper management of the camp. The board may contract for services needed to operate the camp including the services of a manager, may hire employees, and may make other expenditures for the procurement of materials, services, or equipment necessary for the operation of the camp. Expenditures are made upon the approval of the chairperson. The board must prepare an annual report detailing a complete report of financial transactions, usage levels, and other activities regarding the management and operation of the camp. Copies of the annual reports must be submitted to each appointing organization and to the commissioner of veterans affairs. The board may accept donations, contributions, gifts, and bequests of real or personal property that may be made for the maintenance or operation of the camp.

The board shall make the camp available to veterans using the following priorities:

- (1) qualified disabled veterans and their dependents;*
- (2) qualified veterans, their dependents, and widows of qualified veterans who were campers prior to the deed transfer; and*
- (3) qualified veterans, their dependents, and widows of qualified veterans.*

The camp must be operated as a family camp for the rest and relaxation of veterans and their dependents rather than as a program-oriented camp.

The board must publicize the camp to the greatest extent possible to make the camp's facilities known to Minnesota veterans.

The board is not a state agency. The board shall purchase liability and related insurance sufficient to indemnify the state against all claims arising from the conduct or management of the activities conducted by the board, its agents, or contractors.

Sec. 3. [197.133] [DISPOSAL OF PROPERTY AND EXPIRATION OF THE BOARD OF GOVERNORS.]

If a majority of the board determines that the disposal of the camp or a portion of the camp is in the best interests of Minnesota veterans, or if the camp is not used solely as a camp for and by disabled and other veterans and their families and operated and maintained in compliance with all state, federal, and local laws, the board may dispose of the property at market value as provided in this section. Before disposing of the property, the board shall give notice by certified mail to the commissioner of veterans affairs of its decision to dispose of the property. The commissioner shall publish the notice in the State Register. Interested governmental agencies have until the end of the next legislative session after the notice to appropriate money to purchase the property.

Proceeds realized from the disposal of the property and any assets on hand at the time of the disposal of the property, must be placed in an irrevocable trust to be used for the initiation or maintenance of veterans programs in the state of Minnesota. Trustees must be appointed in the same manner as provided for under section 1. The trustees shall consult with the commissioner of veterans affairs to determine the needs of Minnesota veterans and provide the commissioner and the committee on general legislation and veterans affairs of the house of representatives and the committee on veterans and general legislation in the senate with an annual written report on the trust. The commissioner must approve all expenditures from the trust. A certified audit of all assets, expenditures, and property must be conducted prior to any disposition of any assets under the control of the board. Any board member who would benefit directly or indirectly financially from the sale of this property must be removed by the board and a successor appointed as provided by section 1. Upon final disposition of all assets to the trust, the board must disband. Should the assets of the trust be exhausted, the trust must be terminated.

Sec. 4. [TRANSFER OF TITLE TO BIG ISLAND VETERANS CAMP—LAKE MINNETONKA.]

The department of administration must transfer the title to land, structures, and other appurtenances of Big Island Veterans Camp, as described in Minnesota Statutes 1984, section 197.13, to the board of governors of the Big Island Veterans Camp—Lake Minnetonka by quitclaim deed in a form approved by the attorney general. Prior to the transfer, the legislative auditor shall audit all funds of the camp and provide a report of the audit to the committee on general legislation and veterans affairs of the house of representatives and the committee on veterans and general legislation in the senate. In conducting the audit, the legislative auditor shall review, to the extent possible, all records of prior donations or appropriations to the camp or camp-related

groups. The property is exempt from all taxes so long as it is used as a veterans camp. The transfer must include all equipment and nonstate funds currently under control of the commissioner of veterans affairs and for use in connection with the camp. All direct costs incurred as a result of the transfer must be paid from funds under the control of the board of governors of the camp.

Sec. 5. [REPEALER.]

Minnesota Statutes 1984, sections 197.13; 197.15; 197.16; 197.17; 197.18; and 197.19, are repealed.

Sec. 6. [EFFECTIVE DATE.]

Sections 1 to 5 are effective the day following final enactment."

Cohen moved to amend the Olsen, S., et al. amendment to S. F. No. 954, as follows:

Page 1, line 10, delete "*and the*"

Page 1, line 11, after "*Wars*" insert "*and Vietnam veterans of America*"

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

POINT OF ORDER

Knuth raised a point of order pursuant to rule 5.8 that the Olsen, S., et al. amendment was not in order. The Speaker pro tempore Halberg ruled the Knuth point of order not well taken and the Olsen, S., et al. amendment in order.

Nelson, D., moved to amend the Olsen, S., et al. amendment to S. F. No. 954, as follows:

Page 3, line 18, after "*next*" insert "*biennial*"

A roll call was requested and properly seconded.

Anderson, R., was excused while in conference.

The question was taken on the Nelson, D., amendment to the Olsen, S., et al. amendment and the roll was called.

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

There were 47 yeas and 67 nays as follows:

Those who voted in the affirmative were:

| | | | | |
|--------------|------------|----------------|------------|----------|
| Anderson, G. | Kahn | Nelson, K. | Price | Sparby |
| Battaglia | Knuth | Neuenschwander | Quinn | Staten |
| Beard | Lieder | Norton | Rice | Vellenga |
| Brown | Long | O'Connor | Riveness | Voss |
| Clark | McEachern | Olson, E. | Sarna | Welle |
| Cohen | McLaughlin | Osthoff | Scheid | Wenzel |
| Elioff | Minne | Otis | Schoenfeld | Wynia |
| Hartinger | Munger | Pappas | Shaver | |
| Jaros | Murphy | Peterson | Skoglund | |
| Jennings, L. | Nelson, D. | Piper | Solberg | |

Those who voted in the negative were:

| | | | | |
|-------------|--------------|---------------|-------------|-----------|
| Backlund | Dimler | Kiffmeyer | Onnen | Swiggum |
| Becklin | Dyke | Knickerbocker | Ozment | Thiede |
| Begich | Erickson | Kostohryz | Pauly | Thorson |
| Bennett | Fjoslien | Krueger | Piepho | Tjornhom |
| Bishop | Forsythe | Kvam | Poppenhagen | Tomlinson |
| Blatz | Frederick | Levi | Redalen | Tompkins |
| Boerboom | Frederickson | Marsh | Rest | Uphus |
| Brinkman | Frerichs | McDonald | Richter | Valento |
| Burger | Gutknecht | McKasy | Rodosovich | Vanasek |
| Carlson, J. | Hartle | McPherson | Rose | Waltman |
| Carlson, L. | Haukoos | Metzen | Schafer | Zaffke |
| Clausnitzer | Heap | Miller | Segal | |
| Dempsey | Himle | Olsen, S. | Simoneau | |
| DenOuden | Kelly | Omann | Stanius | |

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

Voss moved to amend the Olsen, S., et al. amendment to S. F. No. 954, as follows:

Page 3, line 13, after "*value*" insert "*to a governmental agency*"

A roll call was requested and properly seconded.

The question was taken on the Voss amendment to the Olsen, S., et al. amendment and the roll was called.

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

There were 56 yeas and 57 nays as follows:

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|------------|--------|---------|
| Anderson, G. | Brandl | Clark | Jacobs | Knuth |
| Battaglia | Brinkman | Cohen | Jaros | Krueger |
| Beard | Brown | Elioff | Kahn | Lieder |
| Begich | Carlson, L. | Greenfield | Kelly | Long |

| | | | | |
|------------|----------------|----------|----------|----------|
| McEachern | Neuenschwander | Pappas | Riveness | Sparby |
| McLaughlin | Norton | Peterson | Sarna | Staten |
| Metzen | O'Connor | Piper | Segal | Vanasek |
| Minne | Ogren | Price | Shaver | Vellenga |
| Munger | Olson, E. | Quinn | Simoneau | Voss |
| Murphy | Osthoff | Rest | Skoglund | Welle |
| Nelson, D. | Otis | Rice | Solberg | Wynia |
| Nelson, K. | | | | |

Those who voted in the negative were:

| | | | | |
|-------------|--------------|-----------|-------------|----------|
| Backlund | DenOuden | Hartinger | Miller | Thiede |
| Becklin | Dimler | Hartle | Olsen, S. | Thorson |
| Bennett | Dyke | Haukoos | Omann | Tjornhom |
| Bishop | Erickson | Heap | Onnen | Tompkins |
| Blatz | Fjoalien | Himle | Ozment | Uphus |
| Boerboom | Forsythe | Johnson | Piepho | Valan |
| Boo | Frederick | Kiffmeyer | Poppenhagen | Valento |
| Burger | Frederickson | Kvam | Redalen | Waltman |
| Carlson, D. | Frerichs | Levi | Richter | Zaffke |
| Carlson, J. | Gruenes | Marsh | Scheid | |
| Clausnitzer | Gutknecht | McDonald | Stanius | |
| Dempsey | Halberg | McPherson | Sviggum | |

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

The question recurred on the Olsen, S., et al. amendment to S. F. No. 954. The motion prevailed and the amendment was adopted.

POINT OF ORDER

Knuth raised a point of order pursuant to rule 5.8 that S. F. No. 954, as amended, be re-referred to the Committee on Governmental Operations. The Speaker pro tempore Halberg ruled the point of order not well taken.

S. F. No. 954, A bill for an act relating to veterans; reestablishing the board of governors of the Big Island Veterans Camp; providing for its appointment and duties; transferring certain state land to the board; providing for the possible disposition of the land by the board; proposing coding for new law in Minnesota Statutes, chapter 197; repealing Minnesota Statutes 1984, sections 197.13; 197.15; 197.16; 197.17; 197.18; and 197.19.

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 108 yeas and 12 nays as follows:

Those who voted in the affirmative were:

| | | | | |
|-------------|---------------|----------------|-------------|-----------|
| Backlund | Dimler | Kostohryz | Otis | Shaver |
| Battaglia | Dyke | Krueger | Ozment | Simoneau |
| Beard | Elioff | Kvam | Pappas | Solberg |
| Becklin | Ellingson | Levi | Pauly | Sparby |
| Begich | Erickson | Lieder | Peterson | Stanius |
| Bennett | Fjoslien | Marsh | Piepho | Sviggunn |
| Bishop | Forsythe | McDonald | Piper | Thiede |
| Blatz | Frederick | McEachern | Poppenhagen | Thorson |
| Boerboom | Frederickson | McPherson | Price | Tjornhom |
| Boo | Greenfield | Metzen | Quinn | Tomlinson |
| Brandl | Gruenes | Miller | Quist | Tompkins |
| Brinkman | Gutknecht | Minne | Redalen | Uphus |
| Brown | Halberg | Murphy | Rest | Valento |
| Burger | Hartinger | Nelson, D. | Richter | Vanasek |
| Carlson, D. | Hartle | Nelson, K. | Riveness | Vellenga |
| Carlson, J. | Haukoos | Neuenschwander | Rodosovich | Waltman |
| Carlson, L. | Heap | O'Connor | Sarna | Welle |
| Clark | Himle | Olsen, S. | Schafer | Wenzel |
| Clausnitzer | Jacobs | Olson, E. | Scheid | Wynia |
| Cohen | Kelly | Omman | Schoenfeld | Zaffke |
| Dempsey | Kiffmeyer | Onnen | Schreiber | |
| DenOuden | Knickerbocker | Osthoff | Segal | |

Those who voted in the negative were:

| | | | | |
|--------------|------------|--------|----------|--------|
| Anderson, G. | Kahn | Munger | Rice | Staten |
| Jaros | Knuth | Norton | Skoglund | Voss |
| Jennings, L. | McLaughlin | | | |

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

S. F. No. 583 which was temporarily laid over earlier today was again reported to the House.

Blatz moved to amend S. F. No. 583, as follows:

Page 3, line 10, after "3," insert "*or of a facility providing transitional housing for battered women and their children,*"

The motion prevailed and the amendment was adopted.

S. F. No. 583, A bill for an act relating to crimes; making certain trespasses and assaults a gross misdemeanor; providing for the admissibility of certain evidence in domestic abuse prosecutions; amending Minnesota Statutes 1984, sections 609.224 and 609.605; proposing coding for new law in Minnesota Statutes, chapter 634.

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 119 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

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

S. F. No 623 was reported to the House.

Bishop moved to amend S. F. No. 623, the unofficial engrossment, as follows:

Page 3, after line 3, add:

"Where there is some uncertainty as to the necessity of a permanent award, the court shall order a permanent award leaving its order open for later modification."

The motion prevailed and the amendment was adopted.

Carlson, D., was excused between the hours of 3:30 p.m. and 5:30 p.m.

S. F. No. 623, A bill for an act relating to marriage dissolution; clarifying factors to consider in awarding maintenance; amending Minnesota Statutes 1984, sections 518.552; and 518.64, subdivision 2.

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 117 yeas and 0 nays as follows :

Those who voted in the affirmative were :

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

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

H. F. No. 857 was reported to the House.

Wynia moved to amend H. F. No. 857, the second engrossment, as follows :

Page 5 to Page 6, delete sections 8 and 9

Amend the title :

Page 1, line 6, delete everything before "amending"

Page 1, line 8, after the second semicolon, insert "and"

Page 1, line 9, delete everything after "1" and insert a period

A roll call was requested and properly seconded.

The Speaker resumed the Chair.

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

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

There were 41 yeas and 78 nays as follows :

Those who voted in the affirmative were :

| | | | | |
|--------------|------------|------------|----------|-----------|
| Anderson, G. | Halberg | Minne | Price | Tomlinson |
| Battaglia | Kahn | Munger | Quinn | Vanasek |
| Beard | Kelly | Murphy | Rest | Vellenga |
| Begich | Knuth | Nelson, D. | Rice | Welle |
| Brown | Kostohryz | Norton | Riveness | Wynia |
| Clark | Krueger | Ogren | Skoglund | |
| Cohen | Lieder | Osthoff | Solberg | |
| Elioff | Long | Pappas | Sparby | |
| Greenfield | McLaughlin | Piper | Staten | |

Those who voted in the negative were :

| | | | | |
|-------------|--------------|----------------|-------------|-------------------|
| Backlund | Erickson | Knickerbocker | Pauly | Stanius |
| Bennett | Fjoslien | Kvam | Peterson | Sviggum |
| Bishop | Forsythe | Levi | Piepho | Thiede |
| Blatz | Frederick | Marsh | Poppenhagen | Thorson |
| Boerboom | Frederickson | McDonald | Quist | Tjornhom |
| Boo | Frerichs | McEachern | Redalen | Tompkins |
| Brandl | Gruenes | McKasy | Richter | Uphus |
| Brinkman | Gutknecht | McPherson | Rodosovich | Valan |
| Burger | Hartinger | Metzen | Rose | Valento |
| Carlson, J. | Hartie | Miller | Sarna | Voss |
| Carlson, L. | Haukoos | Nelson, K. | Schafer | Waltman |
| Clausnitzer | Heap | Neuenschwander | Schoenfeld | Wenzel |
| Dempsey | Himle | Olsen, S. | Schreiber | Zaffke |
| DenOuden | Jacobs | Onnen | Seaberg | Spk. Jennings, D. |
| Dimler | Johnson | Otis | Shaver | |
| Dyke | Kiffmeyer | Ozment | Simoneau | |

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

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

The bill was read for the third time 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 106 yeas and 12 nays as follows :

Those who voted in the affirmative were :

| | | | | |
|-------------|---------------|----------------|-------------|-------------------|
| Backlund | Fjoslien | Marsh | Pauly | Sparby |
| Battaglia | Forsythe | McDonald | Peterson | Stanius |
| Beard | Frederick | McEachern | Piepho | Sviggum |
| Begich | Frederickson | McKasy | Poppenhagen | Thiede |
| Bennett | Frerichs | McPherson | Price | Thorson |
| Bishop | Gruenes | Metzen | Quinn | Tjornhom |
| Blatz | Gutknecht | Miller | Quist | Tompkins |
| Boerboom | Hartinger | Minne | Redalen | Uphus |
| Boo | Hartle | Murphy | Rest | Valan |
| Brandl | Heap | Nelson, D. | Richter | Valento |
| Brinkman | Himle | Nelson, K. | Rodosovich | Vanasek |
| Brown | Jacobs | Neuenschwander | Rose | Vellenga |
| Burger | Johnson | Norton | Sarna | Voss |
| Carlson, J. | Kiffmeyer | O'Connor | Schafer | Waltman |
| Carlson, L. | Knickerbocker | Ogren | Scheid | Welle |
| Clausnitzer | Knuth | Olsen, S. | Schoenfeld | Wenzel |
| Cohen | Kostohryz | Olson, E. | Schreiber | Zaffke |
| Dempsey | Krueger | Omann | Seaberg | Spk. Jennings, D. |
| DenOuden | Kvam | Onnen | Segal | |
| Dyke | Levi | Osthoff | Shaver | |
| Elioff | Lieder | Otis | Simoneau | |
| Erickson | Long | Ozment | Solberg | |

Those who voted in the negative were :

| | | | | |
|--------------|--------|-------|----------|-----------|
| Anderson, G. | Kahn | Piper | Skoglund | Tomlinson |
| Clark | Kelly | Rice | Staten | Wynia |
| Greenfield | Pappas | | | |

The bill was passed and its title agreed to.

S. F. No. 986 was reported to the House.

Sviggum moved to amend S. F. No. 986, as follows :

Page 2, line 7, delete "*seciton*" and insert "*section*"

Page 9, line 5, after "*for*" insert "*at least*"

The motion prevailed and the amendment was adopted.

Sviggum moved to amend S. F. No. 986, as amended, as follows :

Page 1, after line 13, insert :

"Section 1. Minnesota Statutes 1984, section 66A.08, subdivision 4, is amended to read :

Subd. 4. [EMPLOYERS' LIABILITY AND WORKERS' COMPENSATION.] (1) [ORGANIZATION.] (a) [SUB-

SCRIBERS AND ARTICLES OF INCORPORATION.]

Twenty or more persons may form an incorporated mutual employers' liability insurance association for the purpose of insuring themselves and such other persons, firms, or corporations as may become subscribers to the association against liability for compensation payable under the terms of the workers' compensation law and for the purpose of insuring against loss or damage by the sickness, bodily injury, or death by accident of any person employed by the insured or for whose injury or death the insured is responsible.

They shall subscribe and acknowledge a certificate specifying :

(aa) The name, general nature of its business, and the principal place of transacting the same; (such name shall distinguish it from all other corporations, domestic or foreign, authorized to do business in this state and end with "company," "corporation," "association," or the word "incorporated");

(bb) The period of its duration;

(cc) The names and places of residence of the incorporators;

(dd) In what board its management shall be vested and the names and addresses of those composing the board until the first election, a majority of whom shall always be residents of the state;

(ee) The highest amount of indebtedness or liability to which the corporation shall at any time be subject; and

(ff) The territory within which the association may do business.

It may contain any other lawful provisions defining and regulating the powers or business of the corporation, its officers, directors, trustees, and members.

The certificate of incorporation of every such corporation shall be submitted to the commissioner for his approval and, if he approves the same, one copy thereof shall be filed with the secretary of state and one copy with the commissioner.

(b) [BYLAWS AND SEAL.] Such association shall have the power to make bylaws for the government of its officers and the conduct of its affairs, to alter and amend the same, and to adopt a common seal.

(c) [ANNUAL MEETING; VOTING RIGHTS.] The annual meeting for the election of directors shall be held at such time (IN THE MONTH OF JANUARY) as the bylaws of the

association may direct. Of the time and place of the meeting at least 30 days previous written or printed notice shall be given to the subscribers, or the notice may be given by publication, not less than three times, in at least two daily or weekly newspapers published in the city or county wherein the association has its principal office and in the legal periodical, if any, designated by the rules of court of the proper county for the publication of legal notices. Subscribers who, during the preceding calendar year, have paid into the treasury of the association premiums amounting to more than one-half of the total premiums received by it during that year, shall constitute a quorum. At this annual meeting the subscribers shall elect, by ballot, from their own number, not less than five directors, a majority of whom shall be residents of this state, to serve for at least one year and until their successors are duly chosen. The association may provide in its bylaws for the division of its board of directors into two, three, or four classes, and for the election thereof at its annual meetings in such manner that the members of one class only shall retire and their successors be chosen each year. Vacancies may be filled by election by the board until the next annual meeting. In the choice of directors and in all meetings of the association, each subscriber shall be entitled to one vote for every \$100, or any fraction thereof, paid by him in premiums into the treasury of the association during the preceding calendar year. Subscribers may vote by proxy and the record of all votes shall be made by the secretary and show whether the same were cast in person or by proxy and shall be evidence of all these elections. Not less than three directors shall constitute a quorum. The directors shall annually choose by ballot a president, who shall be a member of the board; a secretary; a treasurer, who may be either the president or secretary; and such other officers as the bylaws may provide; and fix the salaries of the president and the secretary, as well as the salaries or compensation of such other officers and agents as the bylaws prescribe. Vacancies in any office may be filled by the directors or by the subscribers, as the bylaws shall prescribe.

(2) [REQUIREMENTS.] (a) [NUMBER OF RISKS TO QUALIFY.] These associations shall not begin to issue policies until a list of subscribers with the number of employees of each which, in the aggregate, must number not less than 5,000, together with such other information as the commissioner may require, shall have been filed at the department of commerce, nor until the president and secretary of the association shall have certified under oath that every subscription in the list so filed is genuine and made with an agreement of all the subscribers that they will take the policies subscribed for within 30 days of the granting of a license by the commissioner. In case of associations organized exclusively for the purpose of insuring creameries, cheese factories, and livestock shipping associations, these associations may begin to issue policies when the number of employees insured aggregates 300.

Upon the filing of the certificate provided for in this section, the commissioner shall make such investigations as he may deem proper and, if his findings warrant it, grant a license to the association to issue policies.

(b) [NUMBER OF RISKS REQUIRED TO CONTINUE IN BUSINESS.] If at any time the number of subscribers falls below 20, or the number of subscribers' employees within the state falls below 5,000, no further policies shall be issued until the total number of subscribers amounts to not less than 20, whose employees within the state are not less than 5,000. In case of associations organized for the purpose of insuring creameries, cheese factories, and livestock shipping associations, the number of subscribers must not fall below 200, nor the number of subscribers' employees within the state below 300.

(3) [ADDITIONAL POWERS.] (a) [MAY WRITE AUTOMOBILE INSURANCE.] Any such company authorized to write workers' compensation or liability insurance under this subdivision, when its articles of incorporation so provide, shall be permitted to insure against loss or damage to automobiles or other vehicles and their contents by collision, fire, burglary, or theft, and other perils of operation, and against liability for damage to persons or property of others by collision with such vehicles, and to insure against any loss or hazard incident to the ownership, operation, or use of motor or other vehicles, as specified in section 60A.06, subdivision 1, clause (12).

(b) [MAY WRITE GLASS INSURANCE.] Any company authorized to write workers' compensation or liability insurance under this subdivision when its articles of incorporation so provide shall be permitted to insure against loss or damage by breakage of glass located or in transit.

(c) [SPECIAL POWERS.] Any company organized under this subdivision which, for 15 years prior to the passage of Laws 1935, Chapter 136, has exclusively insured creameries, cheese factories, and livestock shipping associations, and which has assets of \$100,000 or more, may write public liability and compensation insurance coverage of creameries, cheese factories, shipping associations, farmers' elevators, cooperatively owned warehouses, cooperative filling stations, cooperative oil companies and all cooperatively owned or organized enterprises.

(4) [INTERNAL OPERATION.] (a) [POLICIES.] Policies of insurance issued by any such association may be made either with or without the seal thereof and they shall be signed by the president, or such other officers as may be designated by the directors for that purpose, and attested by the secretary.

(b) [CLASSIFICATION OF RISKS.] The board of directors may divide the subscribers into groups in accordance with the nature of their business and the probable risk of injury therein. In such case they shall fix all premiums, make all assessments, and determine and pay all dividends by and for each group in accordance with the experience thereof, but all funds of the association and the contingent liability of all subscribers shall be available for the payment of any claim against the association; provided, that (as between the association and its subscribers) until the whole of the contingent liability of the members of any group shall be exhausted, the general funds of the association and the contingent liability of the members of other groups shall not be available for the payment of losses and expenses incurred by such group in excess of the earned premiums paid by the members thereof.

(c) [CLASSIFICATION TO BE FILED.] A statement of any proposed distribution of subscribers into groups shall be filed with the department of commerce.

(d) [RATES.] The board of directors shall determine the amount of premiums which the subscribers of the association shall pay for their insurance in accordance with the nature of the business in which the subscribers are engaged and the probable risk of injury to their employees under existing conditions, and it shall fix premiums at such amounts as in its judgment shall be sufficient to enable the association to pay to its subscribers all sums which may become due and payable to their employees under provisions of law and the expenses of conducting the business of the association. In fixing the premium payable by any subscriber, the board of directors may take into account the condition of the plant, workroom, shop, farm, or premises of the subscriber in respect to the safety of those employed therein as shown by the report of any inspector appointed by the board and it may from time to time change the amount of premiums payable by any of the subscribers as circumstances may require and the condition of the plant, workroom, shop, farm, or premises of the subscribers in respect to the safety of their employees may justify and may increase the premiums of any subscriber neglecting to provide safety devices required by law, or disobeying the rules or regulations made by the board of directors in accordance with the provisions of clause (4) (g) of this subdivision.

(e) [PREMIUMS; CONTINGENT LIABILITY.] Every such company shall charge and collect on each policy a premium equal to one year's premium on the policy issued and state in the policy the estimated annual premium and provide in its bylaws for the determination of the actual premium and for the payment of same when determined. The premium thus determined shall be known as the annual premium on the policy. The company shall provide in its bylaws and specify in its policies the maximum contingent mutual liability of its members for the payment of losses and expenses not provided for by its cash fund. The contingent

liability of a member shall not be less than a sum equal and in addition to one annual premium, nor more than a sum equal to five times the amount of the annual premium or, in case of a policy written for less than one year, the contingent liability shall not be less than the proportionate fractional part of the annual premium, nor more than five times the proportionate fractional part of the annual premium. The contingent liability of the policyholder shall be plainly and legibly stated in each policy as follows: "The maximum contingent liability of the policyholder under this policy shall be a sum equal to . . . annual premium (or premiums)."

(f) [ASSESSMENTS.] When the liabilities, including unearned premiums and such other reserves as are or may be required by law and the commissioner, are in excess of the admitted assets computed on the basis allowed for its annual statement, it shall make an assessment upon its policyholders based upon the amount of one annual premium as written in the policy and not to exceed the amount of five annual premiums.

If it becomes necessary to levy the assessment, as provided by this section, no policies shall be issued until the admitted assets of the association are in excess of its liabilities.

(g) [POWER OF BOARD OF DIRECTORS.] The board of directors shall be entitled to inspect the plant, workroom, shop, farm, or premises of any subscriber and for this purpose to appoint inspectors, who shall have free access to all such premises during regular working hours, and the board of directors shall likewise from time to time be entitled to examine by their auditor or other agent the books, records, and payrolls of any subscribers for the purpose of determining the amount of premium chargeable to the subscriber.

The board of directors shall make reasonable rules and regulations for the prevention of injuries upon the premises of subscribers; and may refuse to insure, or may terminate the insurance of, any subscriber who refuses to permit these examinations and disregards such rules or regulations, and forfeit all premiums previously paid by him, but the termination of the insurance of any subscriber shall not release him from liability for the payment of assessments then or thereafter made by the board of directors to make up deficiencies existing at the termination of his insurance.

(h) [INVESTMENTS.] The association shall invest and keep invested all its funds of every description, excepting such cash as may be required in the transaction of its business, in accordance with the laws of this state or relating to the investment of funds of domestic insurance companies.

No such association shall purchase, hold, or convey real estate except as provided by section 60A.11, subdivision 6.

(i) [WITHDRAWAL OF SUBSCRIBER.] Any subscriber of the association who has complied with all its rules and regulations may withdraw therefrom by written notice to that effect sent by the subscriber by certified mail to the association and this withdrawal shall become effective on the first day of the month immediately following the tenth day after the receipt of the notice, but the withdrawal shall not release the subscriber from liability for the payment of assessments thereafter made by the board of directors to make up deficiencies existing at the date of his withdrawal and the subscriber shall be entitled to his share of any dividends earned at the date of his withdrawal.

(5) [MISCELLANEOUS.] (a) [PERJURY BY OFFICER.] If any officer of the association shall falsely make oath to any certificate required to be filed with the commissioner, he shall be guilty of perjury.

(b) [FOREIGN MUTUAL EMPLOYERS' LIABILITY ASSOCIATION.] Any mutual employers' liability insurance association of another state, upon compliance with all laws governing such corporations in general and the provisions of this subdivision may be admitted to transact business in this state. These associations shall pay to the department of commerce the fees prescribed by section 60A.14, subdivision 1.

(c) [WINDING UP AFFAIRS.] When the contracts of insurance issued by these associations shall cover in the aggregate less than 5,000 employees or, in the case of associations organized for the purpose of insuring creameries, cheese factories, and livestock shipping associations, less than 300 employees, the association shall forthwith notify the commissioner of that fact and if, at the expiration of six months from the notice, the aggregate number of employees covered by the contracts of insurance shall be less than 5,000, or, in the case of associations organized for the purpose of insuring creameries, cheese factories, and livestock shipping associations, less than 300 employees, the commissioner shall proceed under the provisions of chapter 60B."

Renumber subsequent sections

Correct internal cross-references

Amend the title accordingly

The motion prevailed and the amendment was adopted.

Sviggum moved to amend S. F. No. 986, as amended, as follows:

Page 3, after line 17, insert:

"Sec. 3. Minnesota Statutes 1984, section 176.101, subdivision 3i, is amended to read:

Subd. 3i. [LAY OFF BECAUSE OF LACK OF WORK OR RELEASED FOR OTHER THAN SEASONAL CONDITIONS.]

(a) If an employee accepts a job under subdivision 3e and begins work at that job and is subsequently unemployed at that job because of economic conditions, other than seasonal conditions, the employee shall receive monitoring period compensation pursuant to clause (b). In addition, the employer who was the employer at the time of the injury shall provide rehabilitation consultation by a qualified rehabilitation consultant if the employee remains unemployed for 45 calendar days. The commissioner may waive this rehabilitation consultation if the commissioner deems it appropriate. Further rehabilitation, if deemed appropriate, is governed by section 176.102.

(b) Upon the employee's initial return to work the monitoring period begins to run. If the employee is unemployed for the reason in clause (a), prior to the end of the monitoring period the employee shall receive monitoring period compensation. This compensation shall be paid (FOR THE LESSER OF) *until* (1) (THE WEEKS REMAINING IN) the monitoring period *expires*, or (2) (THE WEEKS EQUAL TO THE MONITORING PERIOD MINUS THE IMPAIRMENT COMPENSATION PAID TO THE EMPLOYEE. FOR PURPOSES OF THIS CLAUSE THE IMPAIRMENT COMPENSATION SHALL BE CONVERTED TO WEEKS BY DIVIDING THE IMPAIRMENT COMPENSATION RECEIVED BY THE EMPLOYEE BY THE EMPLOYEE'S COMPENSATION RATE FOR TEMPORARY TOTAL DISABILITY AT THE TIME OF THE INJURY) *the sum of monitoring period compensation paid and impairment compensation paid or payable is equal to the amount of economic recovery compensation that would have been paid if that compensation were payable, whichever occurs first.* No monitoring period compensation is payable if the unemployment occurs after the expiration of the monitoring period. Monitoring period compensation is payable at the same intervals and (IN) *at the same (AMOUNT) rate as when temporary total compensation ceased, provided that the minimum monitoring period compensation rate is 66 2/3 percent of the weekly wage for permanent partial disability as determined by section 176.011, subdivision 18 and subject to the maximums specified therein.*

(c) Compensation under this subdivision shall not be escalated pursuant to section 176.645.

(d) If the employee returns to work and is still receiving monitoring period compensation, this compensation shall cease. Any period remaining in the monitoring period upon this return to work shall be used to determine further benefits if the employee is again unemployed under clause (a).

(e) Upon the employee's return to work pursuant to this section the insurer shall notify the employee of the length of the employee's monitoring period and shall notify the employee of the amount of impairment to be paid and the date of payment.

Sec. 4. Minnesota Statutes 1984, section 176.101, subdivision 3t, is amended to read:

Subd. 3t. [MINIMUM ECONOMIC RECOVERY COMPENSATION.] (a) Economic recovery compensation pursuant to this section shall be at least 120 percent of the impairment compensation the employee would receive if that compensation were payable to the employee. (THE MONITORING PERIOD SHALL BE AT LEAST 120 PERCENT OF THE WEEKS DURING WHICH IMPAIRMENT COMPENSATION WOULD BE PAYABLE IF PAID WEEKLY.)

(b) Where an employee has suffered a personal injury for which temporary total compensation is payable but which produces no permanent partial disability and the employee is unable to return to his former employment for medical reasons attributable to the injury, the employee shall receive 26 weeks of economic recovery compensation. This paragraph shall not be used to determine monitoring period compensation under subdivision 3i and shall not be a minimum for determining the amount of compensation when an employee has suffered a permanent partial disability.”

Renumber subsequent sections

Page 8, after line 36, insert:

“Sec. 11. Minnesota Statutes 1984, section 176.191, subdivision 5, is amended to read:

Subd. 5. Where a dispute exists between an employer, insurer, the special compensation fund, the reopened case fund, or the workers' compensation reinsurance association, regarding benefits payable under this chapter, the dispute may be submitted with consent of all interested parties to binding arbitration (PURSUANT TO THE RULES OF THE AMERICAN ARBITRATION ASSOCIATION). The decision of the arbitrator shall be conclusive with respect to all issues presented except as provided in subdivisions 6 and 7. Consent of the employee is not required for submission of a dispute to arbitration pursuant to this section and the employee is not bound by the results of the arbitration. An arbitration award shall not be admissible in any other proceeding under this chapter. Notice of the proceeding shall be given to the employee.

The employee, or any person with material information to the facts to be arbitrated, shall attend the arbitration proceeding if any party to the proceeding deems it necessary. Nothing said by an employee in connection with any arbitration proceeding may be used against the employee in any other proceeding under this chapter. Reasonable expenses of meals, lost wages, and travel of the employee or witnesses in attending shall be reim-

bursed on a pro rata basis. Arbitration costs shall be paid by the parties, except the employee, on a pro rata basis.”

Renumber subsequent sections

Page 10, after line 36, insert:

“Sec. 16. Minnesota Statutes 1984, section 352E.03, is amended to read:

352E.03 [WORKERS’ COMPENSATION (COURT OF APPEALS) COURTS.]

Eligibility to receive benefits as herein provided shall be determined by the workers’ compensation (COURT OF APPEALS) courts in the manner provided by chapter 176. A decision of the workers’ compensation court of appeals hereunder may be reviewed by the Minnesota supreme court in the same manner and subject to the same procedures governing all other appeals from the decisions of the workers’ compensation court of appeals. *The time limitation for commencing an action under this chapter is determined by section 176.151(2).*”

Page 11, line 1, delete “13” and insert “17”

Page 11, after line 3, insert:

“Sec. 18. [EFFECTIVE DATE.]

Sections 1 to 11 and 13 to 17 are effective the day after final enactment. Section 12 is effective July 1, 1985.”

Correct all internal cross-references

Amend the title accordingly

The motion prevailed and the amendment was adopted.

Sviggum moved to amend S. F. No. 986, as amended, as follows:

Page 1, after line 13, insert:

“Section 1. Minnesota Statutes 1984, section 79.37, is amended to read:

79.37 [BOARD OF DIRECTORS.]

A board of directors of the reinsurance association is created and is responsible for the operation of the reinsurance association

consistent with the plan of operation and sections 79.34 to 79.42. The board consists of 13 directors. Four directors shall represent insurers, (SIX) *two* directors shall represent employers, (AT LEAST ONE, BUT NOT MORE THAN THREE OF WHOM) *two* shall represent self-insurers; (AND THREE) *two* directors shall represent employees; *the commissioner of finance and the executive director of the state board of investment or their designees shall serve as directors; and one director shall represent the public.* Insurer members of the reinsurance association shall elect the directors who represent insurers; *self-insurer members of the reinsurance association shall elect the directors who represent self-insurers;* and the commissioner of (COMMERCE) *labor and industry* shall appoint the *remaining* directors (WHO REPRESENT EMPLOYERS AND EMPLOYEES) for the terms authorized in the plan of operation. Each director is entitled to one vote. Terms of the directors shall be staggered so that the terms of all the directors do not expire at the same time and so that a director does not serve a term of more than four years. The board shall select a chairman and other officers it deems appropriate.

A majority of the directors currently holding office constitutes a quorum. Action may be taken by a majority vote of the directors present.

The board shall take reasonable and prudent action regarding the management of the reinsurance association including but not limited to determining the entity who shall manage the daily affairs of the reinsurance association. The board shall report to the governor of its actions regarding the entity selected to manage the reinsurance association and the reasons for the selection.

Sec. 2. [TRANSFER OF POWER.]

The duties and responsibilities of the department of commerce under Minnesota Statutes 1984, sections 79.34 to 79.40, except section 79.34, subdivision 3, are hereby transferred to the department of labor and industry.

Sec. 3. [INSTRUCTIONS TO THE REVISOR.]

The revisor of statutes shall substitute the term "commissioner of labor and industry" or "department of labor and industry" or similar terms as appropriate for the terms "commissioner of commerce" or "department of commerce" or similar terms wherever they appear in Minnesota Statutes, sections 79.34 to 79.40, except section 79.34, subdivision 3.

Sec. 4. [EFFECTIVE DATE.]

Section 1 is effective on June 1, 1985. Within 30 days thereafter, the insurer members of the reinsurance association shall elect directors to replace those whose terms expire within the

next year; the self-insurer members of the association shall elect two directors to replace the present self-insurer representative and an employer representative whose term expires within the next year; the commissioner of labor and industry shall appoint a public director to replace an employer director whose term expires in 1986 and an employer director to replace an employer director whose term expires in 1986; the commissioner of finance, or the commissioner's designee, shall replace an employee director whose term expires within the next year; and the executive director of the state board of investment, or the executive director's designee, shall replace an employer representative whose term shall expire in 1987. The remaining directors will be replaced as provided in section 1 as their terms expire.

Sections 2 and 3 are effective the day following final enactment."

Renumber subsequent sections

Correct all internal references

Amend the title accordingly

A roll call was requested and properly seconded.

POINT OF ORDER

Begich raised a point of order pursuant to rule 5.8 that S. F. No. 986, as amended, be re-referred to the Committee on Governmental Operations. The Speaker ruled the point of order not well taken.

Begich moved to lay the Sviggum amendment to S. F. No. 986, as amended, on the table.

A roll call was requested and properly seconded.

The question was taken on the Begich motion to lay the Sviggum amendment to S. F. No. 986, as amended, on the table and the roll was called.

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

There were 56 yeas and 60 nays as follows:

Those who voted in the affirmative were:

| | | | | |
|-----------|----------|-------------|------------|--------|
| Battaglia | Brandl | Carlson, L. | Elioff | Jacobs |
| Beard | Brinkman | Clark | Ellingson | Jaros |
| Begich | Brown | Cohen | Greenfield | Kahn |

| | | | | |
|------------|------------|----------|------------|----------|
| Knuth | Munger | Otis | Rodosovich | Vanasek |
| Kostohryz | Murphy | Pappas | Sarna | Vellenga |
| Krueger | Nelson, D. | Peterson | Scheid | Voss |
| Lieder | Nelson, K. | Piper | Segal | Wenzel |
| Long | Norton | Price | Simoncau | Wynia |
| McEachern | O'Connor | Quinn | Skoglund | |
| McLaughlin | Ogren | Rest | Solberg | |
| Metzen | Olson, E. | Rice | Staten | |
| Minne | Osthoff | Riveness | Tomlinson | |

Those who voted in the negative were:

| | | | | |
|-------------|--------------|---------------|-------------|-------------------|
| Backlund | Erickson | Himle | Onnen | Shaver |
| Bennett | Fjoslien | Johnson | Ozment | Sviggum |
| Bishop | Forsythe | Kiffmeyer | Pauly | Thiede |
| Blatz | Frederick | Knickerbocker | Piepho | Thorson |
| Boerboom | Frederickson | Kvam | Poppenhagen | Tjornhom |
| Boo | Frerichs | Levi | Quist | Tompkins |
| Burger | Gruenes | Marsh | Redalen | Uphus |
| Clausnitzer | Gutknecht | McDonald | Richter | Valan |
| Dempsey | Hartinger | McKasy | Rose | Valento |
| DenOuden | Hartle | McPherson | Schafer | Waltman |
| Dimler | Haukoos | Miller | Schreiber | Zaffke |
| Dyke | Heap | Omann | Seaberg | Spk. Jennings, D. |

The motion did not prevail.

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

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

There were 66 yeas and 54 nays as follows:

Those who voted in the affirmative were:

| | | | | |
|--------------|--------------|----------------|-------------|-------------------|
| Anderson, G. | Fjoslien | Knickerbocker | Poppenhagen | Thorson |
| Bennett | Forsythe | Kvam | Quist | Tjornhom |
| Bishop | Frederick | Levi | Redalen | Tompkins |
| Blatz | Frederickson | Marsh | Richter | Uphus |
| Boerboom | Frerichs | McDonald | Rodosovich | Valan |
| Boo | Gruenes | McKasy | Rose | Valento |
| Brinkman | Gutknecht | McPherson | Schafer | Waltman |
| Brown | Hartinger | Miller | Schoenfeld | Welle |
| Burger | Hartle | Neuenschwander | Schreiber | Zaffke |
| Clausnitzer | Haukoos | Omann | Seaberg | Spk. Jennings, D. |
| Dempsey | Heap | Onnen | Shaver | |
| Dimler | Himle | Ozment | Sparby | |
| Dyke | Johnson | Pauly | Sviggum | |
| Erickson | Kiffmeyer | Piepho | Thiede | |

Those who voted in the negative were:

| | | | | |
|-------------|------------|---------|------------|------------|
| Battaglia | Cohen | Jaros | Long | Murphy |
| Beard | DenOuden | Kahn | McEachern | Nelson, D. |
| Begich | Elioff | Kelly | McLaughlin | Nelson, K. |
| Brandl | Ellingson | Knuth | Metzen | Norton |
| Carlson, L. | Greenfield | Krueger | Minne | O'Connor |
| Clark | Jacobs | Lieder | Munger | Ogren |

| | | | | |
|-----------|-------|----------|-----------|----------|
| Olson, E. | Piper | Riveness | Skoglund | Vellenga |
| Oshoff | Price | Sarna | Solberg | Voss |
| Otis | Quinn | Scheid | Staten | Wenzel |
| Pappas | Rest | Segal | Tomlinson | Wynia |
| Peterson | Rice | Simoneau | Vanasek | |

The motion prevailed and the amendment was adopted.

Welle moved to amend S. F. No. 986, as amended, as follows:

Page 1, after line 22, insert:

“Sec. 2. Minnesota Statutes 1984, section 176.021, is amended by adding a subdivision to read:

Subd. 9. [EMPLOYER RESPONSIBILITY FOR WELLNESS PROGRAMS.] Injuries incurred while participating in voluntary recreational programs sponsored by the employer, including health promotion programs, athletic events, parties, and picnics, do not arise out of and in the course of the employment even though the employer pays some or all of the cost of the program. This exclusion does not apply in the event that the injured employee was ordered or assigned by the employer to participate in the program.”

Renumber the sections in sequence.

Amend the title as follows:

Page 1, line 2, after the semicolon insert “excluding certain injuries from coverage;”

Page 1, line 4, delete “subdivision 3b” and insert “by adding subdivisions”

The motion prevailed and the amendment was adopted.

S. F. No. 986, A bill for an act relating to workers' compensation; providing for miscellaneous changes; amending Minnesota Statutes 1984, sections 176.021, subdivision 3b; 176.101, subdivision 3e; 176.102, subdivisions 3 and 8; 176.103, subdivision 3; 176.136, by adding a subdivision; 176.138; 176.191, subdivision 3; 176.511, subdivisions 1 and 2; and 176.66, subdivision 10; proposing coding for new law in Minnesota Statutes, chapter 176; repealing Minnesota Statutes 1984, sections 176.081, subdivision 4; and 176.134.

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 84 yeas and 37 nays as follows:

Those who voted in the affirmative were:

| | | | | |
|--------------|--------------|----------------|-------------|-------------------|
| Anderson, G. | Dyke | Knickerbocker | Ozment | Sparby |
| Anderson, R. | Erickson | Knuth | Pauly | Stanius |
| Becklin | Fjoslien | Kostohryz | Peterson | Sviggunm |
| Bennett | Forsythe | Krueger | Piepho | Thiede |
| Bishop | Frederick | Kvam | Poppenhagen | Thorson |
| Blatz | Frederickson | Levi | Quinn | Tjornhom |
| Boerboom | Frerichs | Lieder | Quist | Tompkins |
| Boo | Gruenes | Marsh | Redalen | Uphus |
| Brinkman | Gutknecht | McDonald | Richter | Valan |
| Brown | Hartinger | McEachern | Rodosovich | Valento |
| Burger | Hartle | McPherson | Rose | Vanasek |
| Carlson, J. | Haukoos | Metzen | Schafer | Vellenga |
| Clausnitzer | Heap | Miller | Schoenfeld | Waltman |
| Cohen | Himle | Neuenschwander | Schreiber | Weille |
| Dempsey | Jennings, L. | Olson, E. | Seaberg | Zaffke |
| DenOuden | Johnson | Omann | Shaver | Spk. Jennings, D. |
| Dimler | Kiffmeyer | Onnen | Simoneau | |

Those who voted in the negative were:

| | | | | |
|-------------|------------|------------|----------|-----------|
| Battaglia | Greenfield | Nelson, K. | Price | Staten |
| Beard | Jacobs | Norton | Rest | Tomlinson |
| Begich | Kelly | O'Connor | Rice | Voss |
| Brandl | Long | Ogren | Sarna | Wenzel |
| Carlson, L. | McLaughlin | Osthoff | Scheid | Wynia |
| Clark | Minne | Otis | Segal | |
| Elioff | Murphy | Pappas | Skoglund | |
| Ellingson | Nelson, D. | Piper | Solberg | |

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

S. F. No. 71, A bill for an act relating to commerce; providing for payment to a farm implement retailer by the manufacturer, wholesaler, or distributor who repurchases inventory; requiring the payment of interest on overdue accounts; amending Minnesota Statutes 1984, section 325E.06, subdivision 1.

The bill was read for the third time 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 109 yeas and 1 nay as follows:

Those who voted in the affirmative were:

| | | | | |
|-------------|---------------|----------------|-------------|-------------------|
| Backlund | Fjoslien | Long | Pauly | Solberg |
| Battaglia | Frederick | McDonald | Peterson | Sparby |
| Beard | Frederickson | McEachern | Piepho | Stanius |
| Becklin | Frerichs | McLaughlin | Piper | Staten |
| Begich | Greenfield | McPherson | Poppenbagen | Sviggum |
| Bennett | Gruenes | Metzen | Quinn | Thiede |
| Bishop | Gutknecht | Miller | Quist | Thorson |
| Blatz | Hartle | Minne | Rest | Tjornhom |
| Boerboom | Heap | Murphy | Richter | Tomlinson |
| Boo | Himle | Nelson, D. | Riveness | Tompkins |
| Brandl | Jacobs | Nelson, K. | Rodosovich | Uphus |
| Brinkman | Jaros | Neuenschwander | Rose | Valan |
| Brown | Jennings, L. | Norton | Sarna | Valento |
| Burger | Johnson | O'Connor | Schafer | Vanasek |
| Carlson, L. | Kelly | Ogren | Scheid | Vellenga |
| Clark | Kiffmeyer | Olsen, S. | Schoenfeld | Voss |
| Clausnitzer | Knickerbocker | Olson, E. | Schreiber | Waltman |
| Cohen | Knuth | Omamm | Seaberg | Wenzel |
| Dempsey | Kostohryz | Onnen | Segal | Wynia |
| DenOuden | Krueger | Otis | Shaver | Zaffke |
| Dyke | Kvam | Ozment | Simoneau | Spk. Jennings, D. |
| Erickson | Levi | Pappas | Skoglund | |

Those who voted in the negative were:

Elioff

The bill was passed and its title agreed to.

S. F. No. 207, A bill for an act relating to crimes; defining sports bookmaking; amending Minnesota Statutes 1984, sections 299C.065, subdivision 1; and 609.75, subdivision 7.

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

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

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

There were 116 yeas and 0 nays as follows:

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|--------------|--------------|---------------|
| Anderson, G. | Boo | DenOuden | Gruenes | Kelly |
| Anderson, R. | Brandl | Dimler | Gutknecht | Kiffmeyer |
| Backlund | Brinkman | Dyke | Hartle | Knickerbocker |
| Battaglia | Brown | Elioff | Haukoos | Knuth |
| Beard | Burger | Erickson | Himle | Kostohryz |
| Begich | Carlson, L. | Fjoslien | Jacobs | Krueger |
| Bennett | Clark | Frederick | Jaros | Kvam |
| Bishop | Clausnitzer | Frederickson | Jennings, L. | Levi |
| Blatz | Cohen | Frerichs | Johnson | Lieder |
| Boerboom | Dempsey | Greenfield | Kahn | Long |

| | | | | |
|----------------|-------------|------------|-----------|-------------------|
| Marsh | Olsen, S. | Quinn | Segal | Valento |
| McDonald | Olson, E. | Quist | Shaver | Vanasek |
| McEachern | Omann | Rest | Skoglund | Vellenga |
| McLaughlin | Onnen | Rice | Solberg | Voss |
| McPherson | Osthoff | Richter | Sparby | Waltman |
| Metzen | Otis | Riveness | Stanius | Welle |
| Minne | Ozment | Rodosovich | Staten | Wenzel |
| Murphy | Pappas | Rose | Sviggun | Wynia |
| Nelson, D. | Pauly | Sarna | Thorson | Zaffke |
| Nelson, K. | Peterson | Schafer | Tjornhom | Spk. Jennings, D. |
| Neuenschwander | Piepho | Scheid | Tomlinson | |
| Norton | Piper | Schoenfeld | Tompkins | |
| O'Connor | Poppenhagen | Schreiber | Uphus | |
| Ogren | Price | Seaberg | Valan | |

The bill was passed and its title agreed to.

S. F. No. 1254, A bill for an act relating to occupational safety and health; prescribing duties of employers and of employees; providing for standards; providing for the use of investigative information; providing for enforcement mechanisms; amending Minnesota Statutes 1984, sections 182.651, subdivision 14; 182.653, subdivisions 4a, 4b, 4c, 4e, and 4f; 182.654, subdivision 11; 182.655, subdivisions 10 and 10a; 182.659, by adding a subdivision; 182.661, subdivision 1, and by adding a subdivision; 182.668, subdivision 1; and 182.669, subdivision 1.

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

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

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

There were 120 yeas and 0 nays as follows:

Those who voted in the affirmative were:

| | | | | |
|--------------|--------------|---------------|----------------|-------------|
| Anderson, C. | Dempsey | Himle | McPherson | Piepho |
| Anderson, R. | DenOuden | Jacobs | Metzen | Piper |
| Backlund | Dimler | Jaros | Miller | Poppenhagen |
| Battaglia | Dyke | Johnson | Minne | Price |
| Beard | Elioff | Kahn | Murphy | Quinn |
| Becklin | Ellingson | Kelly | Nelson, K. | Quist |
| Begich | Erickson | Kiffmeyer | Neuenschwander | Redalen |
| Bennett | Fjoslien | Knickerbocker | Norton | Rest |
| Bishop | Forsythe | Knuth | O'Connor | Rice |
| Blatz | Frederick | Krueger | Ogren | Richter |
| Boerboom | Frederickson | Kvam | Olsen, S. | Riveness |
| Boo | Frerichs | Levi | Olson, E. | Rodosovich |
| Brandl | Greenfield | Lieder | Omann | Rose |
| Brown | Gruenes | Long | Onnen | Sarna |
| Burger | Gutknecht | Marsh | Osthoff | Schafer |
| Carlson, L. | Hartinger | McDonald | Otis | Scheid |
| Clark | Hartle | McEachern | Ozment | Schoenfeld |
| Clausnitzer | Haukoos | McKasy | Pauly | Schreiber |
| Cohen | Heap | McLaughlin | Peterson | Seaberg |

| | | | | |
|----------|---------|-----------|---------|-------------------|
| Segal | Sparby | Thorson | Valan | Welle |
| Shaver | Stanius | Tjornhom | Valento | Wenzel |
| Simoneau | Staten | Tomlinson | Vanasek | Wynia |
| Skoglund | Sviggum | Tompkins | Voss | Zaffke |
| Solberg | Thiede | Uphus | Waitman | Spk. Jennings, D. |

The bill was passed and its title agreed to.

S. F. No. 952 was reported to the House.

Miller moved to amend S. F. No. 952, as follows:

Delete everything after the enacting clause and insert:

“Section 1. [326.249] [ALARM AND COMMUNICATION SYSTEMS.]

Subdivision 1. [APPLICABILITY.] Except as provided in subdivision 2, sections 326.241 to 326.248 do not apply to a person who lays out, installs, or maintains class II or class III signaling circuits, fire protective circuits, outside wiring for alarm systems, or communication circuits or systems, as covered by article 725, 760, 770, 800, 810, and 820 of the National Electrical Code as approved by the United States of America Standards Institute in effect January 1, 1985, and any system designed to transmit communications, intelligence, or data through use of fiber optics technology, provided that the person maintains a bond and insurance in the amounts required under section 326.242, subdivision 6. No person exempt under this section may be required to obtain any authorization, permit, franchise, or license from, or pay any fee, franchise tax, or other assessment to any agency, department, board, or political subdivision of the state as a condition for performing any work described herein.

Subd. 2. [CONTRACTOR'S LICENSES.] No person shall lay out, install, maintain, or repair automatic/manual fire alarm systems in commercial, industrial, or public buildings or in multifamily dwellings larger than duplexes, unless the person is a licensed contractor or an employee thereof. The board of electricity shall issue a contractor's license to any individual, corporation, partnership, sole proprietorship, or other business entity that provides adequate proof that a bond and insurance in the amounts required under section 326.242, subdivision 6, have been obtained by the applicant and that the applicant has two or more years of experience installing or repairing the appropriate systems. The board of electricity shall set the fee for contractor's licenses and disposition of fees shall be as provided in section 326.242, subdivision 3. Installation or repairs regulated by this subdivision shall be subject to inspection as provided in section 326.244.

Subd. 3. [EXISTING CONTRACTORS.] Persons in the business of laying out, installing, maintaining, or repairing systems for which a license is required under subdivision 2 on the effective date of this act shall be allowed to continue in that business as if licensed according to this act until final action is taken upon their applications, provided that they make application within 180 days of the effective date of this act.

Sec. 2. [326.2491] [HAZARDOUS LOCATIONS.]

The provisions of section 1 shall not apply to work performed in hazardous locations as covered by article 500 of the National Electrical Code as approved by the United States of America Standards Institute in effect January 1, 1985.

Sec. 3. [326.2492] [LIMITATION.]

Nothing in section 1 prohibits a unit of local government from charging a franchise fee to the operator of a cable communications system."

Delete the title and insert:

"A bill for an act relating to occupations and professions; regulating persons who lay out, install, or maintain certain systems, or communication circuits or systems; proposing coding for new law in Minnesota Statutes, chapter 326."

A roll call was requested and properly seconded.

Jaros and Munger were excused between the hours of 5:00 p.m. and 7:00 p.m.

Ozment moved to amend the Miller amendment to S. F. No. 952, as follows:

Page 1, line 8, delete the new language after the first comma

Page 1, delete lines 9 to 12

Page 1, line 13, delete the new language before "provided"

A roll call was requested and properly seconded.

The question was taken on the Ozment amendment to the Miller amendment to S. F. No. 952 and the roll was called.

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

There were 54 yeas and 56 nays as follows:

Those who voted in the affirmative were:

| | | | | |
|-------------|------------|------------|------------|-----------|
| Battaglia | Kahn | Nelson, K. | Piper | Skoglund |
| Beard | Kelly | Norton | Price | Solberg |
| Begich | Knuth | O'Connor | Quinn | Staten |
| Brinkman | Kostohryz | Ogren | Rest | Tomlinson |
| Carlson, L. | Krueger | Olson, E. | Rice | Uphus |
| Clark | Lieder | Omann | Riveness | Vanasek |
| Cohen | McEachern | Osthoff | Rodosovich | Vellenga |
| Elioff | McLaughlin | Otis | Sarna | Voss |
| Ellingson | Minne | Ozment | Scheid | Welle |
| Greenfield | Murphy | Pappas | Segal | Wenzel |
| Jacobs | Nelson, D. | Peterson | Simoneau | |

Those who voted in the negative were:

| | | | | |
|--------------|--------------|----------------|------------|-------------------|
| Anderson, G. | Fjoslien | Johnson | Onnen | Sviggum |
| Bennett | Forsythe | Kiffmeyer | Pauly | Thiede |
| Bishop | Frederick | Knickerbocker | Piepho | Thorson |
| Blatz | Frederickson | Kvam | Quist | Tjornhom |
| Boerboom | Frerichs | Levi | Redalen | Tompkins |
| Boo | Gruenes | Marsh | Richter | Valento |
| Burger | Gutknecht | McDonald | Schafer | Zaffke |
| Clausnitzer | Hartinger | McKasy | Schoenfeld | Spk. Jennings, D. |
| Dempsey | Hartle | McPherson | Schreiber | |
| DenOuden | Haukoos | Miller | Shaver | |
| Dimler | Heap | Neuenschwander | Sherman | |
| Dyke | Himle | Olsen, S. | Sparby | |

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

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

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

There were 61 yeas and 50 nays as follows:

Those who voted in the affirmative were:

| | | | | |
|--------------|--------------|----------------|------------|-------------------|
| Anderson, G. | Dyke | Johnson | Pauly | Thorson |
| Bennett | Fjoslien | Kiffmeyer | Piepho | Tjornhom |
| Bishop | Forsythe | Knickerbocker | Quist | Tompkins |
| Blatz | Frederick | Kvam | Redalen | Uphus |
| Boerboom | Frederickson | Levi | Richter | Valan |
| Boo | Frerichs | Marsh | Schafer | Valento |
| Brandl | Gruenes | McDonald | Schoenfeld | Waltman |
| Burger | Gutknecht | McKasy | Schreiber | Zaffke |
| Clausnitzer | Hartinger | McPherson | Shaver | Spk. Jennings, D. |
| Cohen | Hartle | Miller | Simoneau | |
| Dempsey | Haukoos | Neuenschwander | Sparby | |
| DenOuden | Heap | Olson, E. | Sviggum | |
| Dimler | Himle | Onnen | Thiede | |

Those who voted in the negative were:

| | | | | |
|-----------|-------------|-----------|------------|-----------|
| Battaglia | Brinkman | Clark | Greenfield | Kelly |
| Beard | Brown | Elioff | Jacobs | Knuth |
| Begich | Carlson, L. | Ellingson | Kahn | Kostohryz |

| | | | | |
|------------|------------|----------|------------|-----------|
| Krueger | Nelson, K. | Ozment | Rice | Staten |
| Lieder | Norton | Pappas | Riveness | Tomlinson |
| McEachern | O'Connor | Peterson | Rodosovich | Vanasek |
| McLaughlin | Ogren | Piper | Sarna | Voss |
| Minne | Omann | Price | Scheid | Welle |
| Murphy | Osthoff | Quinn | Segal | Wenzel |
| Nelson, D. | Otis | Rest | Solberg | Wynia |

The motion prevailed and the amendment was adopted.

S. F. No. 952, A bill for an act relating to occupations and professions; providing for licensing of alarm and communication contractors and installers by the board of electricity; amending Minnesota Statutes 1984, sections 326.01, by adding subdivisions; 326.241; 326.242, subdivisions 7 and 8, and by adding subdivisions; 326.243; 326.244, subdivisions 4 and 5; and 326.246.

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 70 yeas and 42 nays as follows :

Those who voted in the affirmative were :

| | | | | |
|--------------|--------------|---------------|----------------|-------------------|
| Anderson, G. | Dimler | Himle | Neuenschwander | Simoneau |
| Becklin | Dyke | Johnson | Olson, E. | Sparby |
| Bennett | Fjoslien | Kiffmeyer | Onnen | Stanius |
| Bishop | Forsythe | Knickerbocker | Ozment | Sviggum |
| Blatz | Frederick | Krueger | Pauly | Thorson |
| Boerboom | Frederickson | Kvam | Piepho | Tjornhom |
| Boo | Frerichs | Levi | Quist | Tompkins |
| Brandl | Gruenes | Long | Redalen | Valento |
| Brown | Gutknecht | Marsh | Richter | Vanasek |
| Burger | Halberg | McDonald | Schafer | Vellenga |
| Clausnitzer | Hartinger | McKasy | Schoenfeld | Voss |
| Cohen | Hartle | McPherson | Schreiber | Welle |
| Dempsey | Haukoos | Metzen | Segal | Zaffke |
| DenOuden | Heap | Miller | Shaver | Spk. Jennings, D. |

Those who voted in the negative were :

| | | | | |
|-------------|------------|----------|----------|-----------|
| Battaglia | Jacobs | Norton | Price | Staten |
| Beard | Kahn | O'Connor | Quinn | Tomlinson |
| Begich | Knuth | Ogren | Rest | Uphus |
| Brinkman | Kostohryz | Omann | Rice | Waltman |
| Carlson, L. | McEachern | Osthoff | Riveness | Wenzel |
| Clark | McLaughlin | Otis | Sarna | Wynia |
| Elioff | Minne | Pappas | Scheid | |
| Ellingson | Murphy | Peterson | Skoglund | |
| Greenfield | Nelson, D. | Piper | Solberg | |

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. 58, A bill for an act relating to the town of Moorhead; allowing the town certain powers.

PATRICK E. FLAHAVEN, Secretary of the Senate

Levi moved that the House refuse to concur in the Senate amendments to H. F. No. 58, 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. 213, A bill for an act relating to the maltreatment of minors or vulnerable adults in certain licensed facilities; providing for notification of parents or guardians after reports of alleged abuse; clarifying certain provisions; amending Minnesota Statutes 1984, sections 626.556, subdivisions 10b, 11, and by adding a subdivision; and 626.557, subdivision 12, and by adding a subdivision.

PATRICK E. FLAHAVEN, Secretary of the Senate

Levi moved that the House refuse to concur in the Senate amendments to H. F. No. 213, 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. 558, A bill for an act relating to metropolitan government; providing conditions for the disposal of certain sports facilities property; requiring the metropolitan mosquito control district to establish a research program to evaluate the effects of its control program on other fauna; amending Minnesota Statutes 1984, sections 473.556, subdivision 6; and 473.704, by adding a subdivision.

PATRICK E. FLAHAVEN, Secretary of the Senate

Blatz moved that the House refuse to concur in the Senate amendments to H. F. No. 558, 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. 633, A bill for an act relating to traffic regulations; providing for a temporary definition of school bus; providing for book racks and "MN" designation on school buses; amending Minnesota Statutes 1984, section 169.44, by adding subdivisions.

PATRICK E. FLAHAVEN, Secretary of the Senate

Levi moved that the House refuse to concur in the Senate amendments to H. F. No. 633, 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.

SPECIAL ORDERS

S. F. No. 676 was reported to the House.

Uphus moved to amend S. F. No. 676, as follows :

Delete everything after the enacting clause and insert :

"Section 1. Minnesota Statutes 1984, section 204B.16, subdivision 1, is amended to read:

Subdivision 1. [AUTHORITY; LOCATION.] The governing body of each municipality and of each county with precincts in unorganized territory shall designate by ordinance or resolution a polling place for each election precinct. The polling place for a precinct in a municipality shall be located within the boundaries of the precinct or within 1500 feet of one of those boundaries unless a single polling place is designated for a city pursuant to subdivision 2. The polling place for a precinct may be located up to 3,000 feet outside one of the boundaries of the precinct if necessary to locate a polling place that is accessible to and usable by elderly and handicapped individuals as required in subdivision 5. The polling place for a precinct in unorganized territory may be located outside the precinct at a place which is convenient to the voters of the precinct. *If no suitable place is available within the town, then the polling place for a town may be located outside the town within five miles of one of the boundaries of the town.*

Sec. 2. Minnesota Statutes 1984, section 365.51, is amended to read:

365.51 [ANNUAL TOWN MEETING; PRECINCTS; POLLING PLACES.]

There shall be an annual town meeting held in each town on the second Tuesday of March at the place designated by the annual town meeting, and if no designation is so made then at the place designated by the town board. *The place designated may be located outside the town within five miles of one boundary of the town.* In the event of inclement weather the meeting shall be held on another March day designated by the board. The clerk shall give ten days' published notice specifying time and place in a qualified newspaper having general circulation within the town, or by posted notice, as the town board shall direct unless the voters at the annual town meeting direct otherwise. All town officers required by law to be elected shall be chosen thereat, and other business done as is by law required or permitted. The town board may, with respect to an election by ballot at the annual town meeting for the purpose of selecting town officers or of determining any matter of town business, provide for the casting of ballots in precincts and at polling places. Precincts and polling places shall be designated by the town board in the manner prescribed by sections 204B.14 and 204B.16.

Sec. 3. [EFFECTIVE DATE.]

Sections 1 and 2 are effective the day after final enactment."

Delete the title and insert:

"A bill for an act relating to towns; authorizing the conduct of town business and elections at places located outside the town; amending Minnesota Statutes 1984, sections 204B.16, subdivision 1; and 365.51."

The motion prevailed and the amendment was adopted.

Uphus moved to amend S. F. No. 676, as amended, as follows:

Page 2, line 27, delete "*Sections 1 and 2 are*" and insert "*This act is*"

The motion prevailed and the amendment was adopted.

S. F. No. 676, A bill for an act relating to towns; authorizing the conduct of town business at places located outside the town; amending Minnesota Statutes 1984, sections 365.51 and 365.52; proposing coding for new law in Minnesota Statutes, chapter 365.

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 103 yeas and 16 nays as follows:

Those who voted in the affirmative were:

| | | | | |
|--------------|---------------|----------------|-------------|-------------------|
| Anderson, G. | Fjoslien | Long | Pappas | Sherman |
| Anderson, R. | Forsythe | Marsh | Pauly | Solberg |
| Backlund | Frederick | McDonald | Peterson | Sparby |
| Beard | Frederickson | McEachern | Piepho | Stanius |
| Becklin | Gruenes | McKasy | Piper | Sviggum |
| Begich | Halberg | McPherson | Poppenhagen | Thiede |
| Bennett | Hartinger | Metzen | Price | Thorson |
| Bishop | Hartle | Miller | Quinn | Tjornhom |
| Blatz | Haukoos | Minne | Quist | Tompkins |
| Boerboom | Heap | Munger | Redalen | Uphus |
| Boo | Himle | Murphy | Rest | Valan |
| Brinkman | Jacobs | Nelson, K. | Richter | Valento |
| Brown | Johnson | Neuenschwander | Rodosovich | Vanasek |
| Burger | Kiffmeyer | Norton | Rose | Vellenga |
| Carlson, L. | Knickerbocker | O'Connor | Sarna | Waltman |
| Clausnitzer | Knuth | Ogren | Schafer | Welle |
| Cohen | Kostohryz | Olson, E. | Schoenfeld | Wenzel |
| Dempsey | Krueger | Omann | Schreiber | Zaffke |
| DenOuden | Kvam | Onnen | Seaberg | Spk. Jennings, D. |
| Dimler | Levi | Otis | Segal | |
| Dyke | Lieder | Ozment | Shaver | |

Those who voted in the negative were:

| | | | | |
|-----------|------------|---------|----------|-----------|
| Battaglia | Ellingson | Osthoff | Simoneau | Tomlinson |
| Brandl | Greenfield | Rice | Skoglund | Voss |
| Clark | Kahn | Scheid | Staten | Wynia |
| Elioff | | | | |

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

S. F. No. 43 was reported to the House.

Johnson and Anderson, G., moved to amend S. F. No. 43, the unofficial engrossment, as follows:

Page 5, line 26, delete everything after "*violation*"

Page 5, line 27, delete "*30, 1985,*"

Page 5, line 36, after "*supplier*" insert "*as provided by Laws 1984, chapter 654, article 2, section 8*"

Page 6, line 14, after "*supplier*" insert "*as provided by Laws 1984, chapter 654, article 2, section 8*"

Page 7, line 13, after the period insert "*This subdivision applies to contract crime violations which occur after June 30, 1985.*"

The motion prevailed and the amendment was adopted.

The Speaker called Halberg to the Chair.

Johnson and Lieder moved to amend S. F. No. 43, the unofficial engrossment, as amended, as follows:

Page 30, after line 7, insert:

"Sec. 35. Laws 1979, chapter 280, section 2, subdivision 2, as amended by Laws 1982, chapter 617, section 25, is amended to read:

Subd. 2. \$50,000,000, or so much thereof as is needed, is available for expenditure at a rate not exceeding \$12,500,000 per fiscal year for grants to political subdivisions for construction and reconstruction of key bridges on highways, streets and roads under their jurisdiction. (THE GRANTS SHALL NOT EXCEED THE FOLLOWING AGGREGATE AMOUNTS:)

((1) TO COUNTIES . . . \$8,500,000)

((2) TO HOME RULE CHARTER AND STATUTORY CITIES . . . \$1,000,000)

((3) TO TOWNS . . . \$21,000,000)

(ADDITIONAL GRANTS MAY BE MADE IN AN AGGREGATE AMOUNT NOT TO EXCEED \$19,500,000 TO THE POLITICAL SUBDIVISIONS TO MATCH FEDERAL AID GRANTS FOR CONSTRUCTION AND RECONSTRUCTION OF KEY BRIDGES UNDER THEIR JURISDICTION.) Appropriations made in subdivisions 1, 2, or 3 may also be used for the following purposes:

(1) The costs of abandoning an existing bridge that is deficient and is in need of replacement, but where no replacement will be made.

(2) The costs of constructing a road or street that would facilitate the abandonment of an existing bridge determined to be deficient. The construction of the road or street must be judged to be more cost efficient than the reconstruction or replacement of the existing bridge.

The commissioner of transportation shall, from the amount appropriated in this subdivision, make available not less than \$2,000,000 in each fiscal year in grants to political subdivisions to match federal grants for construction and reconstruction of key bridges under their jurisdiction."

Renumber the remaining sections

Page 30, line 14, delete "and 34" and insert "34 and 35"

Amend the title as follows:

Page 1, line 21, after the semicolon insert "removing and modifying certain restrictions on the expenditure of proceeds from state transportation bonds;"

Page 1, line 31, after "505.24;" insert "Laws 1979, chapter 280, section 2, subdivision 2, as amended by Laws 1982, chapter 617, section 25;"

The motion prevailed and the amendment was adopted.

Blatz moved to amend S. F. No. 43, the unofficial engrossment, as amended, as follows:

Page 30, after line 7, add a section to read:

"Sec. 36. [SPECIAL PERMIT.]

Subdivision 1. [PERMIT TO BE ISSUED.] Notwithstanding any law to the contrary the commissioner of transportation

shall issue one special permit authorizing the operation for testing purposes of a three vehicle combination consisting of a motor vehicle, a "motorized hitch" and a trailer. The permit is valid for one year from the date of issuance. The annual fee for the permit is \$30. The permit is subject to all applicable provisions of Minnesota Statutes 1984, section 169.86, except as otherwise provided in this subdivision. The holder of the permit is responsible for all liability for personal injury, property damage or time lost, which may occur as a result of the operation of the combination for which the permit is issued, and must, if a claim is made against the state or a department, division officer or employee thereof arising from such operation, defend, indemnify and hold them harmless.

Subd. 2. [EXPIRATION.] Subdivision 1 expires July 31, 1986."

Renumber the remaining section

Page 30, line 14, delete "and 35" and insert "35 and 36"

Amend the title as follows:

Page 1, line 31, after "system;" insert "directing the commissioner of transportation to issue a special permit for a certain combination of vehicles;"

The motion prevailed and the amendment was adopted.

Johnson, Brandl, Pauly, Knickerbocker and Staten moved to amend S. F. No. 43, the unofficial engrossment, as amended, as follows:

Page 30, after line 7, insert:

"Sec. 37. [161.1231] [PARKING FACILITIES FOR I-394.]

Subdivision 1. [AUTHORITY TO CONSTRUCT.] Notwithstanding section 161.123 or any other law, the commissioner may acquire land by purchase, gift, or eminent domain for parking facilities described in this section and may construct, operate, repair, and maintain parking facilities primarily to serve vehicles traveling the route in the interstate highway system described in section 161.123, clause (2), also known as I-394. Other vehicles may use the parking facilities when space is available.

Subd. 2. [RULES AND PROCEDURES.] The commissioner shall adopt rules and establish procedures for the operation and use of the parking facilities. The rules are exempt from the requirements of chapter 14. A copy of the rules that regulate use of the facilities by drivers must be posted in each parking facility. The rules must:

(1) *establish incentives, which must include preferential parking locations, to encourage drivers of vehicles that travel I-394 and that are occupied by two or more persons to use the facilities;*

(2) *define peak travel hours and provide that during peak travel hours single-occupant vehicles be charged a surcharge to bring the parking fee for those vehicles to approximately the same level as parking fees charged in the private parking ramps located in Minneapolis;*

(3) *provide preferential parking locations for vehicles licensed and operated under section 168.021;*

(4) *establish application, permit, and use requirements; and*

(5) *provide for removal and impoundment of vehicles and assessment of a service fee on vehicles parked in violation of this section and the rules adopted under it.*

Subd. 3. [FEDERAL AID.] The commissioner may cooperate with the federal government or any agency of the federal government and may comply with the law of the United States and regulations adopted under those laws so that federal money available for construction of parking ramps described in the Surface Transportation Assistance Act of 1982, section 127, may be obtained.

Subd. 4. [AGREEMENTS; LEASES.] (a) The commissioner may make agreements with or may lease the parking facilities to the city of Minneapolis or to a private party. The agreement or lease may allow the city of Minneapolis or private party to operate the facilities according to the commissioner's rules and procedures and to collect the fees established by the commissioner. The commissioner shall require a private operator to obtain liability insurance in an amount prescribed by the commissioner to insure the operator and the state against all claims occurring because of the existence of the agreement or lease. The agreement may provide for reasonable compensation.

(b) The commissioner may negotiate the agreement or lease without requiring competitive bids. The terms of an agreement or lease must be approved by the federal agency that grants money for the construction of the facilities.

Subd. 5. [FEES.] The commissioner shall establish and collect fees for use of the parking facilities. The fees must be established and adjusted in compliance with United States Code, title 23, section 137, and are not subject to Minnesota Statutes, chapter 14, including section 14.38, subdivisions 5 to 9, or section 16A.128.

Subd. 6. [ENFORCEMENT.] This section must be enforced in the same manner as parking ordinances or laws are enforced in Minneapolis. The commissioner may revoke the permit or refuse to issue a permit to a person who repeatedly violates subdivision 7 or the rules of the commissioner.

Subd. 7. [PROHIBITION.] A person may not park a motor vehicle in a parking facility described in subdivision 1 except in compliance with subdivision 5 and the rules of the commissioner adopted under subdivision 2. Violation of this subdivision is a misdemeanor.

Subd. 8. [SPECIAL ACCOUNT.] Fees collected by the commissioner under this section must be deposited in the state treasury and credited to a special account. Money in the account is appropriated to the commissioner to operate, repair, and maintain the parking facilities and the high occupancy vehicle lanes on I-394.

Subd. 9. [LOAN BY MINNEAPOLIS.] Notwithstanding the provisions of any statute or home rule charter to the contrary, the city of Minneapolis may incur indebtedness and may issue and sell bonds and other obligations pledging the full faith and credit of the city to its payment for the purpose of loaning and may loan money to the commissioner for deposit in the state treasury to the credit of the trunk highway fund in an amount sufficient for the construction of parking facilities described in subdivision 1 without submitting the question of the issuance of the bonds to the electors. Except as provided in this subdivision, the bonds shall be issued and sold according to the provisions of chapter 475. When funds are received by the state from federal aid allotted to the construction of the parking facilities described in subdivision 1, the commissioner must pay those funds to the city from the trunk highway fund together with any interest or inflation adjustment thereon which is included in the federal aid.

Subd. 10. [LOCAL APPROVAL.] Subdivisions 1 to 8 of section 37 of this act are effective the day following final enactment. Subdivision 9 of section 37 of this act is effective the day after compliance with Minnesota Statutes, section 645.021, subdivision 3, by the governing body of the city of Minneapolis.

Sec. 38. [EFFECTIVE DATE.]

Section 37 is effective the day following final enactment."

Renumber the remaining sections

The motion prevailed and the amendment was adopted.

Onnen moved to amend S. F. No. 43, the unofficial engrossment, as amended, as follows:

Page 12, after line 33, insert:

“Sec. 9. Minnesota Statutes 1984, section 168.013, subdivision 3, is amended to read:

Subd. 3. [APPLICATION; CANCELLATION; EXCESSIVE GROSS WEIGHTS FORBIDDEN.] The applicant for all licenses based on gross weight shall state in writing upon oath, the unloaded weight of the motor vehicle, trailer or semi-trailer and the maximum load the applicant proposes to carry thereon, the sum of which shall constitute the gross weight upon which the license tax shall be paid, but in no case shall the declared gross weight upon which the tax is paid be less than 1-1/4 times the declared unloaded weight of the motor vehicle, trailer or semi-trailer to be registered, except recreational vehicles taxed under subdivision 1g, school buses taxed under subdivision 18 and wreckers defined in section 169.01, subdivision 52. The gross weight of a wrecker is the actual weight of the wrecker fully equipped, but does not include the weight of a wrecked or disabled vehicle towed or drawn by the wrecker.

The gross weight of no motor vehicle, trailer or semi-trailer shall exceed the gross weight upon which the license tax has been paid by more than four percent or 1000 pounds, whichever is greater.

The gross weight of the motor vehicle, trailer or semi-trailer for which the license tax is paid shall be indicated by a distinctive character on the license plate or plates except as provided in subdivision 12 and the plate or plates shall be kept clean and clearly visible at all times.

The owner, driver, or user of a motor vehicle, trailer or semi-trailer upon conviction for transporting a gross weight in excess of the gross weight for which it was registered or for operating a vehicle with an axle weight exceeding the maximum lawful axle load weight shall be guilty of a misdemeanor and be subject to increased registration or re-registration according to the following schedule:

(1) The owner, driver or user of a motor vehicle, trailer or semi-trailer upon conviction for transporting a gross weight in excess of the gross weight for which it is registered by more than four percent or 1000 pounds, whichever is greater, but less than 25 percent or for operating or using a motor vehicle, trailer or semi-trailer with an axle weight exceeding the maximum lawful axle load as provided in section 169.825 by more than four percent or 1000 pounds, whichever is greater, but less than 25 percent, in addition to any penalty imposed for the misdemeanor shall apply to the registrar to increase the authorized gross weight to be carried on the vehicle to a weight equal to or greater than the gross weight the owner, driver, or user was convicted of carrying, the increase computed for the balance of the calen-

dar year on the basis of 1/12 of the annual tax for each month remaining in the calendar year beginning with the first day of the month in which the violation occurred. If the additional registration tax computed upon that weight, plus the tax already paid, amounts to more than the regular tax for the maximum gross weight permitted for the vehicle under section 169.825, that additional amount shall nevertheless be paid into the highway fund, but the additional tax thus paid shall not permit the vehicle to be operated with a gross weight in excess of the maximum legal weight as provided by section 169.825. Unless the owner within 30 days after a conviction shall apply to increase the authorized weight and pay the additional tax as provided in this section, the registrar shall revoke the registration on the vehicle and demand the return of the registration card and plates issued on that registration.

(2) The owner or driver or user of a motor vehicle, trailer or semi-trailer upon conviction for transporting a gross weight in excess of the gross weight for which the motor vehicle, trailer or semi-trailer was registered by 25 percent or more, or for operating or using a vehicle or trailer with an axle weight exceeding the maximum lawful axle load as provided in section 169.825 by 25 percent or more, in addition to any penalty imposed for the misdemeanor, shall have the reciprocity privileges on the vehicle involved if the vehicle is being operated under reciprocity cancelled by the registrar, or if the vehicle is not being operated under reciprocity, the certificate of registration on the vehicle operated shall be cancelled by the registrar and the registrar shall demand the return of the registration certificate and registration plates. *The registrar may not cancel the registration or reciprocity privileges for any vehicle found in violation of seasonal load restrictions imposed under section 169.87 unless the axle weight exceeds the year-round weight limit for the highway on which the violation occurred.* The registrar may investigate any allegation of gross weight violations and demand that the operator show cause why all future operating privileges in the state should not be revoked unless the additional tax assessed is paid.

(3) When the registration on a motor vehicle, trailer or semi-trailer is revoked by the registrar according to provisions of this section, the vehicle shall not be operated on the highways of the state until it is registered or re-registered, as the case may be, and new plates issued, and the registration fee shall be the annual tax for the total gross weight of the vehicle at the time of violation. The re-registration pursuant to this subdivision of any vehicle operating under reciprocity agreements pursuant to section 168.181 or 168.187 shall be at the full annual registration fee without regard to the percentage of vehicle miles traveled in this state."

Renumber the remaining sections

Page 30, delete lines 13 and 14 and insert "*Sections 1, 2, 8, 9, 10, 11, 14, 15, 16, 17, 20, 21, 22, 23, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34 and 35 are effective the*"

Amend the title as follows:

Page 1, line 10, after the semicolon insert "modifying penalties for certain seasonal weight violations,"

Page 1, line 24, after "1e" insert "and 3"

The motion prevailed and the amendment was adopted.

Ozment moved to amend S. F. No. 43, the unofficial engrossment, as amended, as follows:

Page 11, line 13, delete "23" and insert "24"

Page 12, after line 33, insert:

"Sec. 9. Minnesota Statutes 1984, section 169.871, is amended by adding a subdivision to read:

Subd. 7. [SHIPPER'S GOOD FAITH EXCEPTION.] The penalty imposed by subdivision 1 shall not be imposed on a shipper who in good faith ships goods or tenders goods for shipment in a vehicle that does not exceed the maximum gross weight for which the truck is licensed under section 168.013, subdivision 1e.

For purposes of this section, "good faith" means that (1) the vehicle is licensed pursuant to section 168.013, subdivision 1e, (2) the operator of the vehicle is not under the control of the shipper, (3) the operator has requested that the vehicle be loaded to the maximum gross weight for which the vehicle is licensed, and (4) the road leading from the shipper's immediate place of shipment may be legally used for the allowed gross weight of the vehicle with its legally maximum load."

Page 21, line 7, delete "14" and insert "15"

Page 22, line 12, delete "24" and insert "25"

Page 24, line 16, delete "23, 24, and 26" and insert "24, 25, and 27"

Page 24, line 23, delete "23 to 25" and insert "24 to 26"

Page 30, delete lines 13 and 14 and insert "*Sections 1, 2, 8, 10, 12, 14, 15, 16, 17, 20, 21, 22, 23, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, and 35 are effective the*"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 10, after the semicolon, insert "establishing good faith exception to excessive gross weight penalties for shippers;"

Page 1, line 24, after the first semicolon, insert "169.871, by adding a subdivision;"

The motion prevailed and the amendment was adopted.

Redalen and Clausnitzer moved to amend S. F. No. 43, the unofficial engrossment, as amended, as follows:

Page 12, after line 33, insert:

"Sec. 10. Minnesota Statutes 1984, section 169.862, is amended to read:

169.862 [PERMITS FOR WIDE LOADS OF BALED (HAY) AGRICULTURAL PRODUCTS.]

The commissioner of transportation with respect to highways under the commissioner's jurisdiction, and local authorities with respect to highways under their jurisdiction, may issue an annual permit to enable a vehicle carrying round (BALED HAY) *bales of agricultural products*, with a total outside width of the vehicle or the load not exceeding 11-1/2 feet, to be operated on public streets and highways. Permits issued under this section are governed by the applicable provisions of section 169.86 except as otherwise provided herein and, in addition, carry the following restrictions:

(a) The vehicles may not be operated between sunset and sunrise, when visibility is impaired by weather, fog, or other conditions rendering persons and vehicles not clearly visible at a distance of 500 feet, or on (SATURDAYS, SUNDAYS, AND) *Sunday from noon until sunset, or on the days the following holidays are observed: New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, and Christmas Day.*

(b) The vehicles may not be operated on interstate highways.

(c) The vehicles may not be operated on a trunk highway with a pavement less than 24 feet wide.

(d) A vehicle operated under the permit must be equipped with a retractable or removable mirror on the left side so located that it will reflect to the driver a clear view of the highway for a

distance of at least 200 feet to the rear of the vehicle. (SIMULTANEOUS FLASHING AMBER LIGHTS, AS PROVIDED IN SECTION 169.59, SUBDIVISION 4, MUST BE DISPLAYED TO THE FRONT AND REAR OF THE VEHICLE. THE FLASHING AMBER LIGHTS MUST BE LIGHTED ONLY WHEN THE WIDTH OF THE LOAD EXCEEDS 102 INCHES. THE FLASHING AMBER LIGHT SYSTEM IS IN ADDITION TO AND SEPARATE FROM THE TURN SIGNAL SYSTEM AND THE HAZARD WARNING LIGHT SYSTEM.)

(e) A vehicle operated under the permit must display red, orange, or yellow flags, (12) 18 inches square, as markers at the front and rear and on both sides of the load. The load must be securely bound to the transporting vehicle.

The fee for the permit is \$24."

Renumber the sections in sequence and correct internal references

Amend the title accordingly

The motion prevailed and the amendment was adopted.

McPherson moved to amend S. F. No. 43, the unofficial engrossment, as amended, as follows:

Page 16, lines 14 and 16, strike "25" and insert "50"

The motion prevailed and the amendment was adopted.

S. F. No. 43, A bill for an act relating to transportation; regulating motor carriers; establishing gross vehicle weight limits for courier service vehicles; providing that hours of service rules do not apply to farm vehicles; exempting certain farm vehicles from the vehicle identification rule; providing for rescission of canceled permits if a carrier has insurance coverage; excluding modular home movers from regulation as building movers; amending Minnesota Statutes 1984, sections 168.013, subdivision 1e; 174A.06; 221.011, subdivisions 13 and 25; 221.025; 221.031, subdivisions 2 and 6; 221.131, by adding a subdivision; 221.161, subdivision 1; 221.185, subdivision 4, and by adding a subdivision; 221.231; 221.291, subdivision 1; 221.65; 221.67; 221.68; 221.81, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 221; repealing Minnesota Statutes 1984, sections 221.296, subdivision 2; 221.61; 221.62; 221.63; 221.64; and 221.66.

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 100 yeas and 20 nays as follows:

Those who voted in the affirmative were:

| | | | | |
|--------------|--------------|----------------|------------|-------------------|
| Anderson, C. | DenOuden | Kiffmeyer | Otis | Shaver |
| Anderson, R. | Dimler | Knickerbocker | Ozment | Solberg |
| Backlund | Dyke | Knuth | Pappas | Sparby |
| Beard | Ellingson | Krueger | Pauly | Stanius |
| Becklin | Erickson | Kvam | Peterson | Staten |
| Bennett | Fjoslien | Levi | Piepho | Sviggum |
| Bishop | Forsythe | Lieder | Piper | Thiede |
| Blatz | Frederick | Marsh | Quinn | Thorson |
| Boerboom | Frederickson | McDonald | Quist | Tjornhom |
| Boo | Frerichs | McKasy | Redalen | Tomlinson |
| Brandl | Gruenes | McLaughlin | Rest | Tompkins |
| Brinkman | Gutknecht | McPherson | Richter | Uphus |
| Brown | Halberg | Metzen | Riveness | Valan |
| Burger | Hartinger | Miller | Rodosovich | Valento |
| Carlson, D. | Hartle | Nelson, D. | Rose | Vanasek |
| Carlson, L. | Haukoos | Nelson, K. | Sarna | Waltman |
| Clark | Heap | Neuenschwander | Schafer | Welle |
| Clausnitzer | Jacobs | Ogren | Scheid | Wenzel |
| Cohen | Johnson | Olson, E. | Schoenfeld | Zaffke |
| Dempsey | Kelly | Omann | Schreiber | Spk. Jennings, D. |

Those who voted in the negative were:

| | | | | |
|------------|-----------|-----------|----------|----------|
| Battaglia | Kahn | Murphy | Osthoff | Skoglund |
| Begich | Kostohryz | Norton | Price | Vellenga |
| Elioff | Long | O'Connor | Segal | Voss |
| Greenfield | Minne | Olsen, S. | Simoneau | Wynia |

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

Simoneau was excused between the hours of 6:30 p.m. and 8:30 p.m.

H. F. No. 671 was reported to the House.

Sviggum, McKasy and Osthoff moved to amend H. F. No. 671, as follows:

Page 1, line 15, delete "*and prior to*"

Page 1, line 16, delete "*July 1, 1988*"

Page 3, delete line 17

Page 3, line 19, delete "*, and after July 1, 1988, any other state*"

Page 8, line 11, delete "*, or any subsidiary of the bank holding company,*"

Page 8, line 19, delete "a state other than Minnesota" and insert "Iowa, North Dakota, South Dakota, or Wisconsin"

A roll call was requested and properly seconded.

The question was taken on the Sviggum et al. amendment and the roll was called.

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

There were 63 yeas and 46 nays as follows :

Those who voted in the affirmative were :

| | | | | |
|-------------|---------------|----------------|------------|-------------------|
| Backlund | Fjoslien | Levi | Quist | Sviggum |
| Bennett | Forsythe | Lieder | Rest | Thorson |
| Bishop | Frederick | McDonald | Richter | Tjornhom |
| Blatz | Frerichs | McKasy | Riveness | Tomlinson |
| Boo | Greenfield | McLaughlin | Rodosovich | Tompkins |
| Burger | Gruenes | McPherson | Schafer | Valento |
| Carlson, L. | Hartle | Neuenschwander | Scheid | Vanasek |
| Clausnitzer | Himle | Olsen, S. | Schreiber | Waltman |
| Cohen | Kahn | Osthoff | Segal | Welle |
| Dempsey | Kelly | Ozment | Shaver | Wynia |
| Dimler | Kiffmeyer | Pappas | Skoglund | Spk. Jennings, D. |
| Dyke | Knickerbocker | Pauly | Stanius | |
| Erickson | Knuth | Piepho | Staten | |

Those who voted in the negative were :

| | | | | |
|--------------|--------------|------------|------------|----------|
| Anderson, G. | Ellingson | Marsh | Olson, E. | Sparby |
| Battaglia | Frederickson | McEachern | Omann | Uphus |
| Beard | Gutknecht | Metzen | Onnen | Vellenga |
| Begich | Halberg | Minne | Peterson | Voss |
| Boerboom | Hartinger | Munger | Piper | Wenzel |
| Brandl | Jacobs | Murphy | Redalen | Zaffke |
| Brinkman | Kostohryz | Nelson, K. | Rice | |
| Brown | Krueger | Norton | Sarna | |
| Clark | Kvam | O'Connor | Schoenfeld | |
| Ehloff | Long | Ogren | Solberg | |

The motion prevailed and the amendment was adopted.

Pappas and Kelly moved to amend H. F. No. 671, as amended, as follows :

Page 2, line 17, delete "9" and insert "10"

Page 9, line 26, delete "EFFECTIVE DATE" and insert "[48.98] [PROHIBITED MERGERS]"

Page 9, after line 26, insert :

"Subdivision 1. [DEFINITION.] For purposes of this section, "large bank holding company" means a bank holding com-

pany located in this state which owns or controls in the aggregate more than 15 percent of the total bank deposits, both time and demand, in all banks located in this state, as determined by the commissioner on the basis of the most recently available reports of the state and national banks to their supervisory authorities.

Subd. 2. [PROHIBITION.] No large bank holding company may merge or consolidate with another large bank holding company.

Sec. 11. [EFFECTIVE DATE.]”

Page 9, line 27, delete “and” and insert a comma, and after “9” insert “and 10”

Amend the title as follows:

Page 1, line 4, after the semicolon, insert “prohibiting mergers between large bank holding companies;”

A roll call was requested and properly seconded.

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

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

There were 47 yeas and 60 nays as follows:

Those who voted in the affirmative were:

| | | | | |
|--------------|------------|----------------|------------|------------|
| Anderson, G. | Fjoslien | McLaughlin | Pappas | Schoenfeld |
| Battaglia | Greenfield | Metzen | Peterson | Skoglund |
| Beard | Gruenes | Minne | Piper | Solberg |
| Begich | Gutknecht | Nelson, D. | Quist | Sparby |
| Brinkman | Kahn | Neuenschwander | Redalen | Welle |
| Brown | Kelly | O'Connor | Rice | Wenzel |
| Carlson, D. | Knuth | Ogren | Riveness | Wynia |
| Clark | Kostohryz | Olson, E. | Rodosovich | |
| Elioff | Kvam | Omann | Sarna | |
| Erickson | McEachern | Osthoff | Scheid | |

Those who voted in the negative were:

| | | | | |
|-------------|--------------|---------------|------------|-----------|
| Backlund | Dempsey | Hartinger | Long | Onnen |
| Bennett | DenOuden | Hartle | Marsh | Otis |
| Blatz | Dimler | Himle | McKasy | Ozment |
| Boerboom | Dyke | Jacobs | McPherson | Pauly |
| Boo | Ellingson | Kiffmeyer | Miller | Piepho |
| Brandl | Forsythe | Knickerbocker | Murphy | Rest |
| Carlson, L. | Frederick | Krueger | Nelson, K. | Richter |
| Clausnitzer | Frederickson | Levi | Norton | Schafer |
| Cohen | Halberg | Lieder | Olsen, S. | Schreiber |

Segal
Shaver
Stanius

Sviggum
Thorson
Tjornhom

Tomlinson
Tompkins
Uphus

Valento
Vellenga
Voss

Waltman
Zaffke
Spk. Jennings, D.

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

Metzen moved to amend H. F. No. 671, as amended, as follows :

Page 9, line 29, delete "*If paragraph (c) does not apply,*"

Page 9, line 30, delete "*July 1, 1986.*" and insert "*on the same date as the last effective date of the reciprocating state legislation when each reciprocating state has enacted*"

Page 9, line 31, delete everything before "*legislation*"

Page 9, line 33, delete everything after "*in*" and insert "*the reciprocating state.*"

Page 9, delete lines 34 to 36

Page 10, delete line 1

A roll call was requested and properly seconded.

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

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

There were 27 yeas and 72 nays as follows :

Those who voted in the affirmative were :

| | | | | |
|--------------|------------|-----------|----------|------------|
| Anderson, G. | Elioff | O'Connor | Peterson | Rodosovich |
| Battaglia | Kostohryz | Ogren | Piper | Sarna |
| Beard | McEachern | Oison, E. | Redalen | Schoenfeld |
| Begich | Metzen | Onnen | Rice | Sparby |
| Brinkman | Minne | Osthoff | Riveness | Wenzel |
| Clark | Nelson, D. | | | |

Those who voted in the negative were :

| | | | | |
|-------------|--------------|------------|---------------|----------------|
| Backlund | DenOuden | Greenfield | Knickerbocker | McPherson |
| Bennett | Dimler | Halberg | Knuth | Miller |
| Blatz | Dyke | Hartinger | Krueger | Munger |
| Boerboom | Ellingson | Hartle | Levi | Murphy |
| Brandl | Erickson | Himle | Lieder | Nelson, K. |
| Brown | Fjoslien | Jacobs | Long | Neuenschwander |
| Burger | Forsythe | Kahn | Marsh | Norton |
| Clausnitzer | Frederick | Kelly | McDonald | Olsen, S. |
| Dempsey | Frederickson | Kiffmeyer | McKasy | Otis |

| | | | | |
|--------|-----------|-----------|----------|-------------------|
| Ozment | Richter | Skoglund | Uphus | Waltman |
| Pappas | Schafer | Stanius | Valento | Welle |
| Pauly | Scheid | Sviggum | Vanasek | Wynia |
| Piepho | Schreiber | Tomlinson | Vellenga | Zaffke |
| Quist | Segal | Tompkins | Voss | Spk. Jennings, D. |
| Rest | Shaver | | | |

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

H. F. No. 671, as amended, was read for the third time.

POINT OF ORDER

Begich raised a point of order that H. F. No. 671 required a two-thirds vote of the whole House to pass pursuant to the Minnesota Constitution, article IV, section 26. The Speaker ruled the point of order not well taken.

H. F. No. 671, A bill for an act relating to financial institutions; authorizing interstate acquisition and formation of banks between this state and certain states on a reciprocal basis; proposing coding for new law in Minnesota Statutes, chapter 48.

The bill, as amended, was placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 53 yeas and 71 nays as follows:

Those who voted in the affirmative were:

| | | | | |
|-------------|---------------|----------------|-----------|-----------|
| Bennett | Frerichs | Long | Rest | Thiede |
| Bishop | Greenfield | Marsh | Riveness | Tjornhom |
| Blatz | Halberg | McKasy | Rose | Tomlinson |
| Boo | Hartle | Nelson, K. | Scheid | Valento |
| Brandl | Haukoos | Neuenschwander | Schreiber | Vellenga |
| Burger | Heap | Norton | Seaberg | Voss |
| Carlson, J. | Himle | Olsen, S. | Segal | Welle |
| Carlson, L. | Jaros | Osthoff | Shaver | Wynia |
| Cohen | Kahn | Otis | Skoglund | Zaffke |
| Ellingson | Knickerbocker | Pauly | Stanius | |
| Forsythe | Levi | Piepho | Sviggum | |

Those who voted in the negative were:

| | | | | |
|--------------|--------------|--------------|------------|-------------|
| Anderson, G. | Clark | Gruenes | Kvam | O'Connor |
| Anderson, R. | Clausnitzer | Gutknecht | McDonald | Ogren |
| Backlund | Dempsey | Hartinger | McEachern | Olson, E. |
| Battaglia | DenOuden | Jacobs | McLaughlin | Omann |
| Beard | Dimler | Jennings, L. | McPherson | Onnen |
| Becklin | Dyke | Johnson | Metzen | Ozment |
| Begich | Elioff | Kalis | Miller | Peterson |
| Boerboom | Erickson | Kiffmeyer | Minne | Piper |
| Brinkman | Fjoslien | Knuth | Munger | Poppenhagen |
| Brown | Frederick | Kostohryz | Murphy | Price |
| Carlson, D. | Frederickson | Krueger | Nelson, D. | Quist |

| | | | | |
|------------|------------|---------|----------|-------------------|
| Redalen | Sarna | Solberg | Tompkins | Waltman |
| Rice | Schafer | Sparby | Uphus | Wenzel |
| Richter | Schoenfeld | Thorson | Valan | Spk. Jennings, D. |
| Rodosovich | | | | |

The bill was not passed, as amended.

S. F. No. 40 was reported to the House.

Begich moved to amend S. F. No. 40, the unofficial engrossment, as follows:

Page 2, after line 33, insert:

"Sec. 4. [169.688] [SMOKING WHILE DRIVING PROHIBITED.]

No person shall operate a motor vehicle while smoking."

Amend the title as follows:

Page 1, line 4, after the semicolon insert: "prohibiting operating a motor vehicle while smoking; providing a penalty;"

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

Frerichs moved to amend S. F. No. 40, the unofficial engrossment, as follows:

Page 2, after line 3, insert:

"Sec. 3. Minnesota Statutes 1984, section 169.685, subdivision 4, is amended to read:

Subd. 4. (a) Proof of the use or failure to use (SEAT BELTS OR) a child passenger restraint system as described in subdivision 5, or proof of the installation or failure of installation of seat belts or a child passenger restraint system as described in subdivision 5 shall not be admissible in evidence in any litigation involving personal injuries or property damage resulting from the use or operation of any motor vehicle.

(b) *Proof of the use or failure to use a seat belt as required in section 4, subdivision 1, but only by a person not exempted under section 4, subdivision 2, shall be admissible in evidence in litigation involving personal injury or property damage resulting from the use or operation of a motor vehicle."*

Renumber the remaining section in sequence

Amend the title as follows :

Page 1, line 4, after the semicolon insert "providing for admissibility of evidence on the use of or failure to use a seat belt ;"

Page 1, line 6, after the semicolon, insert "169.685, subdivision 4 ;"

A roll call was requested and properly seconded.

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

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

There were 23 yeas and 91 nays as follows :

Those who voted in the affirmative were :

| | | | | |
|-------------|-----------|----------|---------|-------------------|
| Boerboom | Frederick | Marsh | Seaberg | Waltman |
| Carlson, D. | Frerichs | McDonald | Sviggum | Zaffke |
| Dempsey | Gutknecht | Omann | Thiede | Spk. Jennings, D. |
| Dimler | Johnson | Ozment | Valento | |
| Fjoslien | Kahn | Schafer | Voss | |

Those who voted in the negative were :

| | | | | |
|--------------|---------------|----------------|-------------|-----------|
| Anderson, G. | Frederickson | McEachern | Pappas | Skoglund |
| Backlund | Greenfield | McKasy | Pauly | Solberg |
| Battaglia | Gruenes | McLaughlin | Peterson | Sparby |
| Beard | Halberg | McPherson | Piper | Staten |
| Begich | Hartinger | Metzen | Poppenbagen | Thorson |
| Bennett | Hartle | Minne | Price | Tjornhom |
| Blatz | Himle | Munger | Quinn | Tomlinson |
| Brandl | Jacobs | Murphy | Quist | Tompkins |
| Brinkman | Jaros | Nelson, D. | Rest | Uphus |
| Brown | Kalis | Nelson, K. | Rice | Valan |
| Burger | Kelly | Neuenschwander | Richter | Vanasek |
| Carlson, L. | Kiffmeyer | Norton | Riveness | Vellenga |
| Clark | Knickerbocker | O'Connor | Rodosovich | Welle |
| Clausnitzer | Knuth | Ogren | Sarna | Wenzel |
| Cohen | Kostohryz | Olsen, S. | Scheid | Wynia |
| Dyke | Krueger | Olson, E. | Schoenfeld | |
| Elioff | Levi | Onnen | Segal | |
| Ellingson | Lieder | Osthoff | Shaver | |
| Forsythe | Long | Otis | Simoneau | |

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

The Speaker resumed the Chair.

Frerichs moved to amend S. F. No. 40, the unofficial engrossment, as follows :

Page 2, after line 33, insert:

“Sec. 4. [169.687] [SCHOOL BUS SEAT BELTS.]

Subdivision 1. [INSTALLATION REQUIRED.] All school buses and other vehicles purchased, leased to, or under contract to a Minnesota school district after the effective date of this act primarily used to transport school children to and from school and which are owned by, leased to, or under contract to a Minnesota school district, shall be equipped with shoulder harness seat belts. The seat belts shall be installed at each position normally occupied when the bus or vehicle is in use.

Subd. 2. [SEAT BELT USE REQUIRED.] Each school district shall require students to use seat belts when occupying a vehicle required to have seat belts in subdivision 1 and when the vehicle is in motion. The school district shall apply appropriate sanctions for students who fail or refuse to use seat belts.”

A roll call was requested and properly seconded.

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

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

There were 31 yeas and 85 nays as follows:

Those who voted in the affirmative were:

| | | | | |
|-----------|-----------|-------------|----------|----------|
| Battaglia | Frerichs | Ogren | Richter | Skoglund |
| Begich | Gutknecht | Olsen, S. | Riveness | Swiggum |
| Bishop | Kahn | Osthoff | Sarna | Thiede |
| Clark | Knuth | Ozment | Schafer | Tompkins |
| Dimler | Marsh | Poppenhagen | Scheid | Valento |
| Erickson | O'Connor | Rice | Segal | Zaffke |
| Frederick | | | | |

Those who voted in the negative were:

| | | | | |
|--------------|--------------|---------------|----------------|------------|
| Anderson, G. | Dyke | Jaros | McPherson | Pauly |
| Backlund | Elioff | Kalis | Miller | Peterson |
| Beard | Ellingson | Kelly | Minne | Piepho |
| Bennett | Fjoslien | Kiffmeyer | Munger | Price |
| Blatz | Forsythe | Knickerbocker | Murphy | Quinn |
| Brandl | Frederickson | Kostohryz | Nelson, D. | Quist |
| Brinkman | Greenfield | Krueger | Nelson, K. | Redalen |
| Brown | Gruenes | Levi | Neuenschwander | Rest |
| Burger | Halberg | Lieder | Norton | Rodosovich |
| Carlson, D. | Hartinger | Long | Olson, E. | Schoenfeld |
| Carlson, L. | Hartle | McDonald | Omann | Schreiber |
| Clausnitzer | Heap | McEachern | Onnen | Seaberg |
| Cohen | Himle | McKasy | Otis | Shaver |
| Dempsey | Jacobs | McLaughlin | Pappas | Simoneau |

| | | | | |
|---------|-----------|----------|---------|-------------------|
| Sparby | Tjornhom | Valan | Voss | Wenzel |
| Staten | Tomlinson | Vanasek | Waltman | Wynia |
| Thorson | Uphus | Vellenga | Welle | Spk. Jennings, D. |

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

Sviggum moved to amend S. F. No. 40, the unofficial engrossment, as follows:

Page 2, line 31, delete "and"

Page 2, line 33, before the period insert "; and"

(7) *a person driving or riding in a pickup truck, as defined in section 168.011, subdivision 29, while engaged in normal farming work or activity*

The motion prevailed and the amendment was adopted.

Bishop offered an amendment to S. F. No. 40, as amended.

POINT OF ORDER

Vanasek raised a point of order pursuant to rule 3.9 that the Bishop amendment was not in order. The Speaker ruled the Vanasek point of order well taken and the Bishop amendment out of order.

S. F. No. 40, A bill for an act relating to transportation; traffic regulations; defining "passenger vehicle"; requiring use of seat belts by passenger vehicle drivers and passengers; imposing a penalty; amending Minnesota Statutes 1984, sections 169.01, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 169.

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 61 yeas and 70 nays as follows:

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|--------------|---------------|------------|
| Anderson, G. | Brandl | Frederickson | Kahn | McKasy |
| Backlund | Burger | Greenfield | Kalis | McLaughlin |
| Battaglia | Carlson, J. | Halberg | Kelly | Minne |
| Beard | Clark | Hartle | Knickerbocker | Munger |
| Bennett | Cohen | Heap | Knuth | Murphy |
| Bishop | Ellingson | Himle | Long | Nelson, D. |
| Boo | Forsythe | Jaros | McDonald | Nelson, K. |

| | | | | |
|-----------|-------|------------|----------|-----------|
| Norton | Pauly | Rose | Segal | Tomlinson |
| Olsen, S. | Piper | Scheid | Shaver | Valan |
| Omann | Price | Schoenfeld | Simoneau | Vanasek |
| Osthoff | Quist | Schreiber | Skoglund | Vellenga |
| Otis | Rice | Seaberg | Staten | Wynia |
| Pappas | | | | |

Those who voted in the negative were:

| | | | | |
|--------------|--------------|----------------|-------------|-------------------|
| Anderson, R. | Elioff | Krueger | Ozment | Sparby |
| Becklin | Erickson | Kvam | Peterson | Sviggum |
| Begich | Fjoslien | Levi | Piepho | Thiede |
| Blatz | Frederick | Lieder | Poppenhagen | Thorson |
| Boerboom | Frerichs | Marsh | Quinn | Tjornhom |
| Brinkman | Gruenes | McEachern | Redalen | Tompkins |
| Brown | Gutknecht | McPherson | Rest | Uplus |
| Carlson, D. | Hartinger | Metzen | Richter | Valento |
| Carlson, L. | Haukoos | Miller | Riveness | Voss |
| Clausnitzer | Jacobs | Neuenschwander | Rodosovich | Waltman |
| Dempsey | Jennings, L. | O'Connor | Sarna | Welle |
| DenOuden | Johnson | Ogren | Schafer | Wenzel |
| Dimler | Kiffmeyer | Olson, E. | Sherman | Zaffke |
| Dyke | Kostohryz | Onnen | Solberg | Spk. Jennings, D. |

The bill was not passed, as amended.

ANNOUNCEMENTS BY THE SPEAKER

The Speaker announced the appointment of the following members of the House to a Conference Committee on H. F. No. 558:

Blatz, Ozment and Long.

The Speaker announced the appointment of the following members of the House to a Conference Committee on H. F. No. 633:

Valan, Dempsey and Quist.

The Speaker announced the appointment of the following members of the House to a Conference Committee on H. F. No. 729:

Scheid, Knickerbocker, Gutknecht, Sviggum and Sarna.

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. 345, A bill for an act relating to insurance; no-fault automobile; providing mandatory underinsured motorist coverage; clarifying legislative intent concerning stacking of insurance policies; coordinating the priority of applicability of security for the payment of certain benefits; amending Minnesota Statutes 1984, sections 65B.43, by adding subdivisions; 65B.47, by adding a subdivision; 65B.49, subdivision 4, and by adding a subdivision; and 65B.70, by adding a subdivision.

PATRICK E. FLAHAVERN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Seaberg moved that the House concur in the Senate amendments to H. F. No. 345 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 345, A bill for an act relating to insurance; no-fault automobile; providing mandatory underinsured motorist coverage; clarifying legislative intent concerning stacking of insurance policies; coordinating the priority of applicability of security for the payment of certain benefits; removing bonding requirements for self-insuring political subdivisions; providing for mandatory arbitration of certain insurance claims; amending Minnesota Statutes 1984, sections 65B.43, by adding subdivisions; 65B.44, subdivisions 1 and 3; 65B.47, by adding a subdivision; 65B.48, subdivision 3a; 65B.49, subdivisions 3, 4, and by adding a subdivision; and 65B.525, subdivision 1.

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

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

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

There were 94 yeas and 20 nays as follows:

Those who voted in the affirmative were:

| | | | | |
|----------|-------------|--------------|---------|---------------|
| Backlund | Burger | Dyke | Hartle | Kelly |
| Becklin | Carlson, D. | Ellingson | Haukoos | Kiffmeyer |
| Bennett | Carlson, J. | Erickson | Heap | Knickerbocker |
| Bishop | Carlson, L. | Fjoslien | Himle | Knuth |
| Blatz | Clausnitzer | Forsythe | Jacobs | Kostohryz |
| Boerboom | Dempsey | Frederick | Jaros | Krueger |
| Brandl | DenOuden | Frederickson | Johnson | Levi |
| Brinkman | Dimler | Hartinger | Kalis | Marsh |

| | | | | |
|----------------|-------------|------------|-----------|-------------------|
| McDonald | Olsen, S. | Price | Simoneau | Valan |
| McEachern | Olson, E. | Quinn | Solberg | Valento |
| McPherson | Omann | Quist | Sparby | Vanasek |
| Metzen | Onnen | Richter | Stanius | Vellenga |
| Miller | Gsthoff | Rodosovich | Swiggum | Voss |
| Munger | Ozment | Rose | Thiede | Waltman |
| Murphy | Pappas | Sarna | Thorson | Welle |
| Nelson, K. | Pauly | Schafer | Tjornhom | Wenzel |
| Neuenschwander | Peterson | Schreiber | Tomlinson | Zaffke |
| O'Connor | Piepho | Seaberg | Tompkins | Spk. Jennings, D. |
| Ogren | Poppenhagen | Shaver | Uphus | |

Those who voted in the negative were :

| | | | | |
|--------------|------------|--------------|------------|----------|
| Anderson, G. | Clark | Halberg | McLaughlin | Segal |
| Battaglia | Cohen | Jennings, L. | Norton | Skoglund |
| Bead | Elioff | Kahn | Piper | Staten |
| Begich | Greenfield | Long | Schoenfeld | Wynia |

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

Mr. Speaker :

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

S. F. Nos. 588 and 928.

PATRICK E. FLAHAVEN, Secretary of the Senate

FIRST READING OF SENATE BILLS

S. F. No. 588, A bill for an act relating to the University of Minnesota; appropriating money for road improvements in the city of Falcon Heights.

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

S. F. No. 928, A bill for an act relating to occupations and professions; providing for licensure of persons engaged in the sale of hearing instruments; requiring the commissioner of health to reconsider the application of speech language pathologists and audiologists for credentialing; appropriating money; providing a penalty; proposing coding for new law as Minnesota Statutes, chapter 153A.

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

GENERAL ORDERS

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

MOTIONS AND RESOLUTIONS

Wenzel moved that the name of Tjornhom be added as an author on H. F. No. 5. The motion prevailed.

Waltman moved that the name of Tjornhom be added as an author on H. F. No. 998. The motion prevailed.

McKasy moved that the name of Tjornhom be added as an author on H. F. No. 1075. The motion prevailed.

Riveness moved that the names of Onnen, Himle and Nelson, D., be added as authors on H. F. No. 1541. The motion prevailed.

Segal moved that the names of Clark and Pappas be added as authors on H. F. No. 1661. The motion prevailed.

ADJOURNMENT

Levi moved that when the House adjourns today it adjourn until 12:00 noon, Tuesday, May 14, 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, Tuesday, May 14, 1985.

EDWARD A. BURDICK, Chief Clerk, House of Representatives

