

## STATE OF MINNESOTA

## SPECIAL SESSION - 1985

## THIRD DAY

SAINT PAUL, MINNESOTA, FRIDAY, JUNE 21, 1985

The House of Representatives convened at 9:00 a.m. and was called to order by David M. Jennings, Speaker of the House.

Prayer was offered by Reverend Howard C. Gravrock, House Chaplain.

The roll was called and the following members were present:

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

A quorum was present.

Erickson was excused.

Brandl was excused until 9:55 a.m. Osthoff was excused until 11:00 a.m.

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

### 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.	Frerichs	Lieder	Price	Stanisus
Backlund	Gruenes	McEachern	Quinn	Staten
Battaglia	Gutknecht	McKasy	Quist	Sviggunn
Beard	Hartle	McLaughlin	Redalen	Thiede
Becklin	Haukoos	Metzen	Rees	Thorson
Begich	Heap	Miller	Rest	Tomlinson
Bennett	Himle	Munger	Rice	Tunheim
Boo	Jacobs	Murphy	Richter	Valan
Burger	Jaros	Nelson, D.	Riveness	Vanasek
Carlson, J.	Jennings, L.	Neuenschwander	Rodosovich	Vellenga
Carlson, L.	Kahn	O'Connor	Rose	Waltman
Clark	Kalis	Olson, E.	Sarna	Welle
Cohen	Kelly	Omann	Schoenfeld	Wenzel
Ellingson	Kiffmeyer	Onnen	Schreiber	Wynia
Fjoslien	Knickerbocker	Pauly	Seaberg	Zaffke
Forsythe	Knuth	Peterson	Simoneau	Spk. Jennings, D.
Frederick	Kvam	Piper	Skoglund	
Frederickson	Levi	Poppenhagen	Sparby	

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.

Levi moved that the Chief Clerk be and he is hereby authorized to correct and approve the Journal of the House, 1985 Special Session, for today, Friday, June 21, 1985, and that he be authorized to include in the Journal for today any subsequent proceedings and any appointments to legislative interim committees or commissions created by legislative action or by law. The motion prevailed.

### 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 bill as a Special Order for today, Friday, June 21, 1985:

H. F. No. 6.

H. F. No. 6 was reported to the House.

Munger moved to amend H. F. No. 6, as follows:

Page 2, line 25, before the period insert "*, unless the plaintiff shows that the defendant knew or reasonably should have known, at the time when the defendant became a responsible person, that the hazardous substance could cause serious harm to others if there was a release of the substance from the facility*"

A roll call was requested and properly seconded.

Levi moved to lay the Munger amendment on the table.

A roll call was requested and properly seconded.

The question was taken on the Levi motion to lay the Munger amendment to H. F. No. 6 on the table and the roll was called.

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

There were 61 yeas and 56 nays as follows:

Those who voted in the affirmative were:

Anderson, R.	Dyke	Kiffmeyer	Pauly	Thorson
Backlund	Fjoslien	Knickerbocker	Piepho	Tjornhom
Becklin	Forsythe	Kvam	Poppenhagen	Tompkins
Bennett	Frederick	Levi	Quist	Uphus
Bishop	Frederickson	Marsh	Redalen	Valan
Boerboom	Frerichs	McKasy	Rees	Valento
Boo	Gruenes	McPherson	Richter	Waltman
Burger	Gutknecht	Miller	Schafer	Zaffke
Carlson, J.	Hartinger	Neuenschwander	Schreiber	Spk. Jennings, D.
Clausnitzer	Hartle	Olsen, S.	Seaberg	
Dempsey	Haukoos	Omann	Stanious	
DenOuden	Himle	Onnen	Sviggum	
Dimler	Johnson	Ozment	Thiede	

Those who voted in the negative were:

Anderson, G.	Kalis	Murphy	Quinn	Sparby
Battaglia	Kelly	Nelson, D.	Rest	Staten
Beard	Knuth	Nelson, K.	Rice	Tomlinson
Begich	Kostohryz	Norton	Riveness	Vanasek
Brown	Krueger	O'Connor	Rodosovich	Vellenga
Clark	Lieder	Ogren	Sarna	Voss
Cohen	Long	Olson, E.	Scheid	Wenzel
Greenfield	McDonald	Otis	Schoenfeld	Wynia
Jacobs	McEachern	Pappas	Segal	
Jaros	McLaughlin	Peterson	Simoneau	
Jennings, L.	Metzen	Piper	Skoglund	
Kahn	Munger	Price	Solberg	

The motion prevailed and the Munger amendment to H. F. No. 6 was laid on the table.

H. F. No. 6 was read for the third time.

Scheid was excused between the hours of 10:00 a.m. and 11:00 a.m.

## MOTION FOR RECONSIDERATION

Carlson, L., moved that the action whereby H. F. No. 6 was given its third reading be now reconsidered.

A roll call was requested and properly seconded.

The question was taken on the Carlson, L., motion and the roll was called.

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

There were 63 yeas and 64 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Anderson, R.	Dimler	Johnson	Pauly	Swiggum
Backlund	Dyke	Kiffmeyer	Piepho	Thiede
Becklin	Fjoslien	Knickerbocker	Poppenhagen	Thorson
Bennett	Forsythe	Kvam	Quist	Tjornhom
Blatz	Frederick	Levi	Redalen	Tompkins
Boerboom	Frederickson	Marsh	Rees	Uphus
Brinkman	Frerichs	McDonald	Richter	Valan
Burger	Gruenes	McPherson	Schafer	Valento
Carlson, D.	Gutknecht	Miller	Schreiber	Voss
Carlson, J.	Hartle	Olsen, S.	Seaberg	Waltman
Clausnitzer	Haukoos	Omann	Shaver	Zafke
Dempsey	Heap	Onnen	Sherman	Spk. Jennings, D.
DenOuden	Himle	Ozment	Stanisus	

The motion did not prevail.

H. F. No. 6, A bill for an act relating to the environment; removing statutory provisions for joint and several liability and causation for personal injury; changing the date when liability applies; removing additional defense for abnormally dangerous activity; stating effect of removing certain provisions; creating a hazardous substance injury compensation fund; establishing a board to administer the fund; limiting compensable losses; prescribing claims procedures; allowing partial subrogation

rights; imposing a penalty; appropriating money; amending Minnesota Statutes 1984, sections 115B.05, subdivision 1; 115B.06, subdivision 1; and 115B.09; proposing coding for new law in Minnesota Statutes, chapter 115B; repealing Minnesota Statutes 1984, sections 115B.06, subdivision 2; and 115B.07.

The bill was placed upon its final passage.

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

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

There were 82 yeas and 49 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Anderson, G.	Ellingson	Minne	Otis	Segal
Backlund	Greenfield	Munger	Peterson	Simoneau
Battaglia	Halberg	Murphy	Piper	Skoglund
Beard	Hartinger	Nelson, D.	Quinn	Solberg
Begich	Jaros	Nelson, K.	Rest	Staten
Brandl	Kahn	Norton	Rice	Vanasek
Carlson, L.	Knuth	O'Connor	Riveness	Vellenga
Clark	Long	Ogren	Rose	Wenzel
Cohen	McEachern	Olsen, S.	Sarna	Wynia
Elieff	McLaughlin	Osthoff	Scheid	

The bill was passed and its title agreed to.

#### MOTION TO TAKE FROM THE TABLE

Dempsey moved that S. F. No. 30 be taken from the table.

A roll call was requested and properly seconded.

The question was taken on the Dempsey motion and the roll was called.

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

There were 106 yeas and 21 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Battaglia	Greenfield	McLaughlin	Pappas	Schoenfeld
Begich	Jennings, L.	Murphy	Peterson	Solberg
Brown	Kahn	Nelson, D.	Piper	Staten
Clark	Knuth	Ogren	Rice	Thiede
Elloff				

The motion prevailed and S. F. No. 30 was taken from the table.

S. F. No. 30 was reported to the House.

#### SUSPENSION OF RULES

Pursuant to Article IV, Section 19, of the Constitution of the state of Minnesota, Dempsey moved that the rule therein be suspended and an urgency be declared so that S. F. No. 30 be given its second and third readings and be placed upon its final passage.

A roll call was requested and properly seconded.

## POINT OF ORDER

Olsen, S., raised a point of order pursuant to section 101, paragraph 1, of "Mason's Manual of Legislative Procedure" relating to limiting debate to the question before the House. The Speaker ruled the Olsen, S., point of order not well taken.

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

The question recurred on the Dempsey motion and the roll was called.

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

There were 109 yeas and 21 nays as follows:

Those who voted in the affirmative were:

Anderson, R.	Fjoslien	Kostohryz	Ozment	Sparby
Backlund	Forsythe	Krueger	Pauly	Stanius
Beard	Frederick	Kvam	Peterson	Sviggum
Becklin	Frederickson	Levi	Piepho	Thiede
Bennett	Frerichs	Lieder	Poppenhagen	Thorson
Bishop	Gruenes	Marsh	Price	Tjornhom
Blatz	Gutknecht	McDonald	Quist	Tomlinson
Boerboom	Halberg	McEachern	Redalen	Tompkins
Boo	Hartinger	McKasy	Rees	Tunheim
Brandl	Hartle	McPherson	Rest	Uphus
Brinkman	Haukoos	Metzen	Richter	Valan
Burger	Heap	Miller	Rodosovich	Valento
Carlson, D.	Himle	Minne	Rose	Vanasek
Carlson, J.	Jacobs	Munger	Schafer	Vellenga
Carlson, L.	Jaros	Nelson, K.	Scheid	Voss
Clausnitzer	Jennings, L.	Neuenschwander	Schreiber	Waltman
Cohen	Johnson	Olsen, S.	Seaberg	Welle
Dempsey	Kahn	Olson, E.	Segal	Wenzel
DenOuden	Kelly	Omann	Shaver	Wynia
Dimler	Kiffmeyer	Onnen	Sherman	Zaffke
Dyke	Knickerbocker	Osthoff	Simoneau	Spk. Jennings, D.
Ellingson	Knuth	Otis	Skoglund	

Those who voted in the negative were:

Anderson, G.	Elioff	Murphy	Ogren	Sarna
Battaglia	Greenfield	Nelson, D.	Piper	Schoenfeld
Begich	Kalis	Norton	Quinn	Solberg
Brown	McLaughlin	O'Connor	Riveness	Staten
Clark				

The motion prevailed.

Dempsey moved that the rules of the House be so far suspended that S. F. No. 30 be given its second and third readings and be placed upon its final passage. The motion prevailed.

S. F. No. 30 was read for the second time.

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

Ogren, Brown, Voss and Kalis moved to amend S. F. No. 30, as follows:

Page 19, line 19, before "If" insert "*Subdivision 1.*" and after "sale" insert "*, in the case of class 3c or class 3cc residential homestead property as defined in 273.13, subdivision 7 and*"

Page 19, after line 25, insert:

*"Subd. 2. If the court grants a postponement of the foreclosure sale, in the case of 3b or 3cc agricultural homestead property as defined in 273.13, subdivision 6 or subdivision 7 and pursuant to sections 583.01 to 583.12, the redemption period pursuant to section 580.23 may be reduced by an equivalent period of time, provided that in no event may the redemption period be less than 30 days. If the court does not grant a postponement of the foreclosure sale, the redemption period must be as provided in section 580.23."*

A roll call was requested and properly seconded.

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

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

There were 52 yeas and 70 nays as follows:

Those who voted in the affirmative were:

Anderson, G.	Greenfield	Minne	Piper	Tunheim
Battaglia	Jacobs	Munger	Quinn	Valan
Beard	Jaros	Murphy	Rest	Vanasek
Begich	Jennings, L.	Nelson, D.	Rodosovich	Vellenga
Brown	Kahn	Neuenschwander	Sarna	Voss
Carlson, D.	Kalis	Norton	Schoenfeld	Welle
Carlson, L.	Kelly	O'Connor	Segal	Wenzel
Clark	Knuth	Ogren	Simoneau	Wynia
Cohen	Krueger	Omann	Solberg	
Elioff	Long	Otis	Sparby	
Ellingson	McLaughlin	Peterson	Staten	

Those who voted in the negative were:

Anderson, R.	Brinkman	Forsythe	Haukoos	Marsh
Backlund	Burger	Frederick	Heap	McDonald
Becklin	Carlson, J.	Frederickson	Himle	McPherson
Bennett	Clausnitzer	Frerichs	Johnson	Metzen
Bishop	Dempsey	Gruenes	Kiffmeyer	Miller
Blatz	DenOuden	Gutknecht	Knickerbocker	Nelson, K.
Boerboom	Dimler	Halberg	Kvam	Olsen, S.
Boo	Dyke	Hartinger	Levi	Olson, E.
Brandl	Fjoslien	Hartle	Lieder	Onnen

Ozment	Redalen	Seaberg	Svigum	Tompkins
Pauly	Rees	Shaver	Thiede	Valento
Piepho	Richter	Sherman	Thorson	Waltman
Poppenhagen	Schafer	Skoglund	Tjornhom	Zaffke
Quist	Schreiber	Stanis	Tomlinson	Spk. Jennings, D.

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

S. F. No. 30, A bill for an act relating to real property; changing notice period required for termination of contracts for the conveyance of real estate; designating seller's attorney as an agent; clarifying the application of the mortgage registry tax; modifying provisions relating to persons defaulting on home-steads; imposing a penalty; amending Minnesota Statutes 1984, sections 47.20, subdivision 15, as amended; 287.10; 336.9-402, as amended; 336.9-403, as amended; 559.21, subdivisions 3, 4, and 6, as amended, and by adding subdivisions; 580.031, as amended; 583.03, subdivision 2, as amended; 583.04, as amended; 583.05, as amended; and 583.07, as amended; and Laws 1985, chapter 233, section 6, as amended; repealing Minnesota Statutes 1984, section 559.21, subdivisions 1, 1a, 2, and 8, as amended.

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 107 yeas and 18 nays as follows:

Those who voted in the affirmative were:

Anderson, R.	Forsythe	Levi	Pauly	Sparby
Backlund	Frederick	Lieder	Peterson	Stanis
Beard	Frederickson	Long	Piepho	Svigum
Becklin	Frerichs	Marsh	Poppenhagen	Thiede
Bennett	Gruenes	McDonald	Price	Thorson
Blatz	Gutknecht	McEachern	Quist	Tjornhom
Boerboom	Halberg	McPherson	Redalen	Tomlinson
Boo	Hartinger	Metzen	Rees	Tompkins
Brandl	Hartle	Miller	Rest	Tunheim
Brinkman	Haukoos	Minne	Richter	Uphus
Burger	Heap	Munger	Riveness	Valan
Carlson, D.	Himle	Murphy	Rodosovich	Valento
Carlson, J.	Jacobs	Nelson, D.	Rose	Vanasek
Carlson, L.	Jennings, L.	Nelson, K.	Schafer	Vellenga
Clausnitzer	Johnson	Neuenschwander	Scheid	Voss
Cohen	Kalis	Olsen, S.	Schreiber	Waltman
Dempsey	Kelly	Olson, E.	Seaberg	Welle
DenOuden	Kiffmeyer	Omann	Segal	Zaffke
Dimler	Knickerbocker	Onnen	Shaver	Spk. Jennings, D.
Dyke	Knuth	Osthoff	Sherman	
Ellingson	Krueger	Otis	Simoneau	
Fjoslien	Kvam	Ozment	Skoglund	

Those who voted in the negative were:

Anderson, G.	Clark	Kahn	Piper	Schoenfeld
Battaglia	Elioff	McLaughlin	Quinn	Staten
Begich	Greenfield	O'Connor	Sarna	Wenzel
Brown	Jaros	Ogren		

The bill was passed and its title agreed to.

## MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker:

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

H. F. No. 16, 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; fixing and limiting fees; creating, modifying, transferring, and abolishing agencies and functions; amending Minnesota Statutes 1984, sections 2.722, subdivision 1, and by adding a subdivision; 3.099, subdivision 1; 3.21; 3.302, subdivision 3; 3.303, by adding a subdivision; 3.351, subdivision 3; 3.736, subdivision 3; 3.85, subdivision 11; 3.9223, subdivision 1; 3C.12, subdivision 7; 11A.07, by adding a subdivision; 11A.20, subdivision 1; 13.68, subdivision 1; 14.07, subdivisions 1 and 2; 14.08; 14.26; 14.32; 14.40; 14.47, subdivision 8; 14.48; 14.51; 14.55; 15.0597, subdivision 1; 15.50, subdivision 3; 15A.081, subdivisions 1 and 7; 15A.082, subdivisions 2 and 3; 16A.055, subdivision 1; 16A.123, subdivision 3; 16A.127, subdivisions 1, 3, and 5, and by adding a subdivision; 16A.128; 16A.1281; 16A.275; 16A.40; 16A.42, subdivision 2; 16A.45, subdivision 2; 16A.47; 16A.58; 16A.641, subdivision 10, and by adding a subdivision; 16A.672, subdivisions 1, 2, and 3; 16B.08, subdivision 7; 16B.09, by adding a subdivision; 16B.21, subdivision 1; 16B.22, as amended; 16B.24, subdivision 5; 16B.29; 16B.36, subdivision 1; 16B.42, subdivision 4; 16B.48, subdivision 2; 16B.54, subdivision 2; 16B.70; 40A.01, subdivision 1; 40A.02, subdivisions 3, 11, and 15; 40A.03, subdivision 2; 40A.04; 40A.05, subdivisions 1 and 2; 40A.06; 40A.07, subdivision 2, and by adding a subdivision; 40A.13, subdivision 1; 40A.15, subdivision 4; 41A.01; 41A.02, subdivisions 5, 7, 8, and 11, and by adding a subdivision; 41A.03, subdivisions 1 and 3, and by adding a subdivision; 41A.04, subdivisions 1, 3, and 4; 41A.05, subdivisions 1, 2, and 3, and by adding a subdivision; 41A.06, subdivisions 1 and 5; 43A.04, subdivision 3; 43A.07, subdivision 2; 43A.08, subdivision 1; 43A.10, subdivision 8; 43A.15, by adding a subdivision; 43A.18, subdivision 5; 43A.19, sub-

division 1; 43A.30, subdivision 4, and by adding a subdivision; 46.07, subdivision 2, and by adding a subdivision; 47.015, subdivision 1; 47.0151, subdivision 3; 47.0152; 48.13; 49.05, by adding subdivisions; 52.02, subdivision 3; 52.24, subdivisions 1 and 2; 53.04, by adding a subdivision; 53.10; 55.095; 65B.49, subdivision 4, as amended; 69.031, subdivision 1; 84.86, subdivision 1; 84B.03, subdivision 4; 85.05, subdivisions 1 and 2; 85.22, subdivision 2a; 85.43; 85A.01, subdivisions 1 and 2; 85A.02, subdivisions 3, 4, 5, 7, 12, and 16, and by adding subdivisions; 85A.04, subdivision 1; 97.4841, subdivision 3; 97.4842, subdivision 2; 98.45, by adding a subdivision; 98.46, subdivisions 2, 14, and 15; 100.271, subdivision 2; 105.42, by adding a subdivision; 115.03, by adding a subdivision; 115A.904; 115A.908, subdivision 2; 115A.914, subdivision 1; 116.07, subdivision 4d; 116.12, subdivision 1; 116C.69, subdivision 3; 116C.71, by adding a subdivision; 116C.723; 116C.724; 116J.36, subdivision 6, as amended; 116J.76; 116M.03, subdivision 17, and by adding a subdivision; 116M.04, subdivisions 8a and 9; 116M.05, subdivision 8; 116M.06, subdivisions 2 and 5; 116M.07, subdivisions 2, 4, 8, 9, 11, and 13; 116M.08, subdivisions 11, 12, 14, and 15; 116M.10, subdivision 8; 116M.11; 116M.12, subdivisions 3 and 4; 176.102, by adding a subdivision; 177.23, subdivisions 4 and 7; 177.24, subdivisions 3, 4, and 5; 177.27; 177.28, subdivision 4; 177.32, subdivision 1; 180.03, subdivisions 2, 3, and 4; 180.10; 181.79, subdivision 1; 181A.04, subdivision 3; 181A.12, subdivision 1; 183.545, by adding a subdivision; 192.51, subdivision 2; 196.051, by adding a subdivision; 268.05, subdivision 2; 268.38, subdivisions 1, 2, 6, 7, and 8; 270.75, by adding a subdivision; 270A.07, subdivision 1; 290.50, subdivision 6; 296.421, subdivision 4, and by adding a subdivision; 297.13, subdivision 1; 298.2211, by adding a subdivision; 326.52; 331A.02, subdivision 1; 334.021; 352.01, subdivision 2B; 361.03, subdivision 5; 361.27; 363.01, subdivision 24, and by adding subdivisions; 363.05, subdivision 2; 363.06, subdivision 8; 363.116; 403.11, subdivision 1; 422A.101, subdivision 3, and by adding a subdivision; 462A.03, subdivision 14; 462A.05, subdivisions 11, 12, and 15a, and by adding subdivisions; 462A.07, subdivisions 14 and 15; 462A.08, subdivision 3; 462A.20, subdivision 3; 462A.21, subdivision 6, and by adding a subdivision; 462C.09, by adding a subdivision; 466.03, by adding a subdivision; 471.345, by adding a subdivision; 472.03, subdivision 9; 472.11, subdivisions 3 and 9; 472.125; 472.13; 473.123, subdivision 5; 473.141, subdivision 7; 473.605, subdivision 2; 473.606, subdivision 1; 473.714; 477A.014, by adding a subdivision; 486.05, subdivision 1, as amended; 487.01, subdivision 5; 494.01, by adding a subdivision; 609.101; 611.216, subdivision 1, and by adding a subdivision; and 626.861, by adding a subdivision; Laws 1984, chapter 502, article 5, section 19, subdivision 1; Laws 1985, chapter 4, section 6, subdivision 3, as amended; chapter 221, sections 1 and 12; and chapter 258, section 1, subdivision 1; proposing coding for new law in Minnesota Statutes, chapters 3; 3C; 5; 8; 16A; 40A; 41A; 43A; 47; 84; 85; 85A; 88; 97; 116; 116C; 116J; 116M; 139; 179; 181; 198; 270; 363; 473; and 480; repealing Minnesota Statutes, 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; 40.19, subdivisions 3, 4, 10, 12, 14, and 15; 40A.13, subdivisions 2, 3, 4, and 5; 43A.19, subdivision 2; 46.15; 47.20, subdivisions 11 and 12; 48.19; 48.57; 48.58; 48.87; 69.031, subdivision 2; 84.088; 85A.01, subdivision 1a; 85A.03; 85A.04, subdivision 3; 124.471; 296.10; 349.212, subdivision 3, as amended; 360.301; 360.302; 360.304; 360.306; 360.388; and 360.389; and Laws 1982, chapter 489, section 11; Laws 1984, chapter 502, article 10, section 12; and chapter 654, article 2, section 151.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

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

H. F. No. 6, A bill for an act relating to the environment; removing statutory provisions for joint and several liability and causation for personal injury; changing the date when liability applies; removing additional defense for abnormally dangerous activity; stating effect of removing certain provisions; creating a hazardous substance injury compensation fund; establishing a board to administer the fund; limiting compensable losses; prescribing claims procedures; allowing partial subrogation rights; imposing a penalty; appropriating money; amending Minnesota Statutes 1984, sections 115B.05, subdivision 1; 115B.06, subdivision 1; and 115B.09; proposing coding for new law in Minnesota Statutes, chapter 115B; repealing Minnesota Statutes 1984, sections 115B.06, subdivision 2; and 115B.07.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

This is to notify you that the Senate is about to adjourn the 1985 Special Session sine die.

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. 25.

PATRICK E. FLAHAVEN, Secretary of the Senate

### FIRST READING OF SENATE BILLS

S. F. No. 25, A bill for an act relating to statutes; conforming various laws to judicial decisions of unconstitutionality and suggestions for clarity; correcting various legislative enactments; amending Minnesota Statutes 1984, sections 3.736, subdivision 3;

60A.11, subdivision 21; 65B.44, subdivision 6; 152.19, subdivision 5, as amended; 160.25, subdivision 3, as amended; 164.06, as amended; 181.13; 290.01, subdivision 20f; 290.091; 365.37, as amended; 429.061, subdivision 1; 444.075, subdivisions 1, as amended, and 1a, as added; 609.531, subdivision 6, as amended; and 631.09; Laws 1979, chapter 280, section 2, subdivision 2, as amended; Laws 1985, chapters 37, section 2; 152, section 1, subdivision 1; 172, sections 74, subdivisions 4, 5, and 7; 80, by adding a subdivision; 217, section 7; 225, section 1, subdivision 2; 259, sections 6 and 8; 261, sections 31 and 38; and 305, article 12, section 5; House File No. 3, article 11, section 23, subdivision 2, of the first special session; repealing Laws 1985, chapters 102, section 2; and 248, section 85.

The bill was read for the first time.

#### SUSPENSION OF RULES

Pursuant to Article IV, Section 19, of the Constitution of the state of Minnesota, Bishop moved that the rule therein be suspended and an urgency be declared so that S. F. No. 25 be given its second and third readings and be placed upon its final passage. The motion prevailed.

Bishop moved that the rules of the House be so far suspended that S. F. No. 25 be given its second and third readings and be placed upon its final passage. The motion prevailed.

S. F. No. 25 was read for the second time.

S. F. No. 25, A bill for an act relating to statutes; conforming various laws to judicial decisions of unconstitutionality and suggestions for clarity; correcting various legislative enactments; amending Minnesota Statutes 1984, sections 3.736, subdivision 3; 47.20, subdivision 15, as amended; 49.05, subdivision 6, if added; 60A.11, subdivision 21; 121.912, if amended; 152.19, subdivision 5, as amended; 160.25, subdivision 3, as amended; 164.06, as amended; 181.13; 290.01, subdivision 20f; 290.091; 365.37, as amended; 429.061, subdivision 1; 444.075, subdivisions 1, as amended, and 1a, as added; 559.21, subdivision 6, as amended; 580.031, as amended; 609.531, subdivision 6, as amended; and 631.09; Laws 1979, chapter 280, section 2, subdivision 2, as amended; Laws 1984, chapter 502, article 9, section 5; Laws 1985, chapters 37, section 2; 152, section 1, subdivision 1; 172, sections 74, subdivisions 4, 5, and 7; 80, by adding a subdivision; 217, section 7; 225, section 1, subdivision 2; 259, sections 6 and 8; 261, sections 31 and 38; and 305, article 12, section 5; House File Nos. 3, article 3, section 28, subdivisions 2, if enacted, and 4, if enacted; article 5, section 1, subdivision 6, if enacted; article 8, section 63, subdivision 3, if enacted and section 66, if enacted; article 11, section 3, subdivision 1, if enacted; section 21, subdivision 3, if enacted; section 23, subdivision 2, if enacted; 10, article 9, section 77, if enacted; 16, and section 37, subdivision 1, of the first special session; repealing Minnesota Statutes 1984, section

15A.081, subdivision 7a, if added; Laws 1985, chapters 102, section 2; 248, section 85; House File Nos. 5, section 13, if enacted; and 16, section 230, of the first special session.

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 114 yeas and 12 nays as follows :

Those who voted in the affirmative were :

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

Those who voted in the negative were :

Anderson, G.	O'Connor	Rodosovich	Schoenfeld	Skoglund
Kalis	Ozment	Sarna	Seaberg	Vanasek
Munger	Piper			

The bill was passed and its title agreed to.

## MOTIONS AND RESOLUTIONS

Levi moved that the Chief Clerk be and he is hereby instructed to inform the Senate and the Governor by message that the House of Representatives is about to adjourn this 1985 Special Session sine die. The motion prevailed.

The Speaker requested unanimous consent to revert to the order of business Messages from the Senate. The request was not granted.

Skoglund moved that the House revert to the order of business Messages from the Senate.

A roll call was requested and properly seconded.

The question was taken on the Skoglund motion and the roll was called.

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

There were 64 yeas and 59 nays as follows:

Those who voted in the affirmative were:

Anderson, G.	Gruenes	Metzen	Otis	Simoneau
Battaglia	Hartinger	Minne	Peterson	Skoglund
Beard	Jacobs	Munger	Piper	Solberg
Begich	Jaros	Murphy	Price	Sparby
Brandl	Kahn	Nelson, D.	Rees	Staten
Burger	Kalis	Nelson, K.	Rest	Tomlinson
Carlson, D.	Kelly	Neuenschwander	Rice	Tunheim
Carlson, L.	Knuth	Norton	Rose	Vellenga
Clark	Lieder	O'Connor	Sarna	Voss
Cohen	Long	Ogren	Scheid	Welle
Elioff	McDonald	Olsen, S.	Schoenfeld	Wenzel
Ellingson	McEachern	Olson, E.	Schreiber	Wynia
Greenfield	McLaughlin	Osthoff	Segal	

Those who voted in the negative were:

Anderson, R.	Fjoslien	Kiffmeyer	Quinn	Thiede
Backlund	Forsythe	Krueger	Quist	Thorson
Bennett	Frederick	Kvam	Redalen	Tjornhom
Blatz	Frederickson	Levi	Richter	Tompkins
Boerboom	Frerichs	Marsh	Riveness	Uphus
Brown	Gutknecht	McKasy	Rodosovich	Valan
Carlson, J.	Halberg	McPherson	Schafer	Valento
Clausnitzer	Hartle	Miller	Seaberg	Vanasek
Dempsey	Haukoos	Omann	Shaver	Waltman
DenOuden	Heap	Onnen	Sherman	Zaffke
Dimler	Himle	Piepho	Stanis	Spk. Jennings, D.
Dyke	Jennings, L.	Popenhagen	Sviggum	

The motion did not prevail.

#### MOTION TO ADJOURN SPECIAL SESSION SINE DIE

Levi moved that the House adjourn sine die for the 1985 Special Session. The motion prevailed and the Speaker declared the House stands adjourned sine die for the 1985 Special Session.

EDWARD A. BURDICK, Chief Clerk, House of Representatives