

SEVENTY-SEVENTH DAY

St. Paul, Minnesota, Wednesday, March 12, 1980

The Senate met at 10:00 o'clock a.m. and was called to order by the President.

CALL OF THE SENATE

Mr. Keefe, S. imposed a call of the Senate. The following Senators answered to their names:

Ashbach	Engler	Knaak	Pillsbury	Stokowski
Barrette	Gearty	Knoll	Purfeerst	Strand
Benedict	Gunderson	Lessard	Renneke	Stumpf
Bernhagen	Hughes	Menning	Rued	Tennessen
Brataas	Humphrey	Moe	Schmitz	Ueland, A.
Chmielewski	Jensen	Nelson	Setzepfandt	Vega
Coleman	Johnson	Ogdahl	Sieloff	Wegener
Davies	Keefe, S.	Olhoff	Sillers	Willet
Dieterich	Kirchner	Penny	Spear	
Dunn	Kleinbaum	Peterson	Stern	

The Sergeant at Arms was instructed to bring in the absent members.

Prayer was offered by the Chaplain, Rev. David Rebeck.

RECESS

Mr. Coleman moved that the Senate do now recess subject to the call of the President. The motion prevailed.

After a brief recess, the President called the Senate to order.

The roll was called, and the following Senators answered to their names:

Ashbach	Gearty	Knutson	Omann	Staples
Bang	Gunderson	Laufenburger	Penny	Stern
Barrette	Hanson	Lessard	Peterson	Stokowski
Benedict	Hughes	Luther	Pillsbury	Strand
Bernhagen	Humphrey	McCutcheon	Purfeerst	Stumpf
Brataas	Jensen	Menning	Renneke	Tennessen
Chmielewski	Johnson	Merriam	Rued	Ueland, A.
Coleman	Keefe, J.	Moe	Schmitz	Ulland, J.
Davies	Keefe, S.	Nelson	Setzepfandt	Vega
Dieterich	Kirchner	Nichols	Sieloff	Wegener
Dunn	Kleinbaum	Ogdahl	Sillers	Willet
Engler	Knaak	Olhoff	Solon	
Frederick	Knoll	Olson	Spear	

The President declared a quorum present.

The reading of the Journal was dispensed with and the Journal, as printed and corrected, was approved.

MEMBERS EXCUSED

Messrs. Perpich, Schaaf and Sikorski were excused from the Session of today. Mr. Nelson was excused from the Session of today from 10:45 to 11:20 o'clock a.m.

INTRODUCTION AND FIRST READING OF SENATE BILLS

The following bills were read the first time and referred to the committees indicated.

Mr. Hanson introduced—

S. F. No. 2366: A bill for an act relating to state lands; providing for the conveyance of certain land to the city of Thief River Falls.

Referred to the Committee on Agriculture and Natural Resources.

Mr. Laufenburger introduced—

S. F. No. 2367: A bill for an act relating to insurance; providing for a program of continuing education; establishing a continuing insurance education advisory committee; authorizing the commissioner of insurance to promulgate rules and to implement the program.

Referred to the Committee on Commerce.

Messrs. Keefe, S.; Laufenburger; Willet; Vega and Luther introduced—

S. F. No. 2368: A bill for an act relating to health; establishing a fund to compensate employees with disabilities attributable to occupational diseases and to smoking; imposing an additional excise tax on cigarettes; imposing duties on the commissioner of labor and industry; amending Minnesota Statutes 1978, Sections 297.02, Subdivision 1; 297.13; and Chapter 176, by adding a section.

Referred to the Committee on Employment.

Messrs. Ulland, J. and Solon introduced—

S. F. No. 2369: A bill for an act relating to the city of Duluth; providing for certain city tax revenues; repealing Laws 1973, Chapter 461, as amended; and Laws 1977, Chapter 438, as amended.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Ueland, A.; Renneke; Mrs. Staples; Messrs. Engler and Rued introduced—

S. F. No. 2370: A bill for an act relating to education; appropriating money for a program for continuing education for registered nurses.

Referred to the Committee on Education.

Messrs. Olson, Bang, Laufenburger, Johnson and Olhoft introduced—

S. F. No. 2371: A bill for an act relating to taxation; providing for reduction of motor vehicle excise tax when purchase price of vehicle is reduced by value of goods traded for vehicle; amending Minnesota Statutes 1978, Section 297B.01, Subdivision 8.

Referred to the Committee on Taxes and Tax Laws.

EXECUTIVE AND OFFICIAL COMMUNICATIONS

March 10, 1980

The Honorable Fred C. Norton
Speaker of the House of Representatives

The Honorable Edward J. Gearty
President of the Senate

I have the honor to inform you that the following enrolled Act of the 1980 Session of the State Legislature has been received from the Office of the Governor and is deposited in the Office of the Secretary of State for preservation, pursuant to the State Constitution, Article IV, Section 23:

S. F. No.	H. F. No.	Session Laws Chapter No.	Date Approved 1980	Date Filed 1980
1848		350	March 10	March 10

Sincerely,
Joan Anderson Growe,
Secretary of State

MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to announce the passage by the House of the following House Files, herewith transmitted: H. F. Nos. 1656, 1666, 1692, 1695, 1732, 184, 1286, 1513, 1956 and 1996.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted March 11, 1980

FIRST READING OF HOUSE BILLS

The following bills were read the first time and referred to the committees indicated.

H. F. No. 1656: A bill for an act relating to motor vehicles; providing for delivery of motor vehicle certificates of title to owners upon satisfaction of a security interest; amending Minnesota Statutes 1978, Section 168A.20, Subdivision 1.

Referred to the Committee on Rules and Administration for comparison with S. F. No. 1703 now on the Calendar.

H. F. No. 1666: A bill for an act relating to transportation; repealing a certain administrative rule of the department of transportation enforcing parallel parking on certain streets and highways.

Referred to the Committee on Rules and Administration for comparison with S. F. No. 1615 now on the Calendar.

H. F. No. 1692: A bill for an act relating to insurance; requiring the issuance of temporary licenses to certain qualified persons; amending Minnesota Statutes 1978, Section 60A.17, by adding a subdivision.

Referred to the Committee on Commerce.

H. F. No. 1695: A bill for an act relating to highways; providing that a resolution of a county board revoking a county highway that would revert to a town is not effective until the highway meets town road specification standards; amending Minnesota Statutes 1978, Section 163.11, Subdivision 5a.

Referred to the Committee on Rules and Administration for comparison with S. F. No. 1756 now on General Orders.

H. F. No. 1732: A bill for an act relating to motor vehicle carriers; defining courier services carrier; providing the procedures for granting permits to courier services carriers; excluding courier service carriers from the term regular route common carrier; amending Minnesota Statutes 1978, Sections 221.011, Subdivision 9, and by adding a subdivision; and 221.121, by adding a subdivision.

Referred to the Committee on Rules and Administration for comparison with S. F. No. 1704 now on General Orders.

H. F. No. 184: A bill for an act relating to St. Louis County; requiring that restaurants comply with certain health laws.

Referred to the Committee on Health, Welfare and Corrections.

H. F. No. 1286: A bill for an act relating to commerce; providing for the qualification of free distribution newspapers as legal newspapers; amending Minnesota Statutes 1978, Section

331.02, Subdivisions 1 and 6; repealing Minnesota Statutes 1978, Sections 16.61 and 331.09.

Referred to the Committee on Judiciary.

H. F. No. 1513: A bill for an act relating to the environment; regulating activities of drillers of exploratory borings; specifying the powers and duties of public officers and agencies; providing penalties; amending Minnesota Statutes 1978, Sections 156A.01; 156A.02, Subdivision 1, and by adding subdivisions; 156A.03, Subdivision 1; 156A.04; 156A.08; and Chapter 156A, by adding a section.

Referred to the Committee on Agriculture and Natural Resources.

H. F. No. 1956: A bill for an act relating to real estate; providing for a state land registration assurance fund; combining the tax forfeited land assurance account with the land registration assurance fund; eliminating separate county assurance funds; appropriating money; amending Minnesota Statutes 1978, Sections 284.28, Subdivisions 8, 9 and 10; 508.75; 508.77; 508.79; 508.82; and 541.024, Subdivision 1; repealing Minnesota Statutes 1978, Section 508.83.

Referred to the Committee on Judiciary.

H. F. No. 1996: A bill for an act relating to industrial development; providing for various energy related projects; amending Minnesota Statutes 1978, Sections 474.01, Subdivision 4; and 474.02, by adding subdivisions; and Minnesota Statutes, 1979 Supplement, Section 474.03.

Referred to the Committee on Energy and Housing.

REPORTS OF COMMITTEES

Mr. Keefe, S. moved that the Committee Reports at the Desk be now adopted, with the exception of the report on S. F. No. 1031. The motion prevailed.

Mr. Willet from the Committee on Agriculture and Natural Resources, to which was referred

S. F. No. 1905: A bill for an act relating to the Nine Mile Creek Watershed District; providing for the establishment of a district water maintenance and repair fund; authorizing a tax levy for water maintenance and repair purposes.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 8, after "CREEK" insert "AND RILEY-PURGATORY CREEK"

Page 1, line 8, delete "DISTRICT" and insert "DISTRICTS"

Page 1, line 11, after "District" insert "in Hennepin County and the Riley-Purgatory Creek Watershed District in Hennepin and Carver counties"

Page 1, line 11, delete "is" and insert "are each"

Page 1, line 11, delete "and empowered,"

Page 1, line 12, delete "in addition to all powers it now possesses,"

Page 1, line 15, delete "Nine Mile Creek Watershed District" and insert "district"

Page 1, line 21, after "\$15,000" insert "in each district"

Page 2, line 20, delete "Nine Mile Creek Watershed District" and insert "district"

Page 2, line 23, delete "Nine Mile Creek Watershed District" and insert "district"

Page 3, line 1, after "effective" insert "for each district named in section 1"

Page 3, line 2, delete "Nine" and insert "respective districts"

Page 3, line 3, delete "Mile Creek Watershed District"

Amend the title as follows:

Page 1, line 2, before the semicolon, insert "and the Riley-Purgatory Creek Watershed District"

And when so amended the bill do pass and be re-referred to the Committee on Taxes and Tax Laws. Amendments adopted. Report adopted.

Mr. Willet from the Committee on Agriculture and Natural Resources, to which was referred

S. F. No. 1962: A bill for an act relating to the environment; setting a date by which the environmental quality board is to amend certain procedures; changing the recipient of petitions for environmental impact statements; providing for contested case hearings; altering the liability for environmental impact statement costs under certain conditions; amending Minnesota Statutes 1978, Sections 116D.04, Subdivisions 2, 3 and 7; and 116D.045.

Reports the same back with the recommendation that the bill be amended as follows:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1978, Section 116D.04, is amended by adding a subdivision to read:

Subd. 1a. [DEFINITIONS.] For the purposes of sections 116D.01 to 116D.07, the following terms have the meanings given to them in this subdivision.

(a) "Natural resources" has the meaning given it in section 116B.02, subdivision 4.

(b) "Pollution, impairment or destruction" has the meaning given it in section 116B.02, subdivision 5.

(c) "Environmental assessment worksheet" means a brief document which is designed to set out the basic facts necessary to determine whether an environmental impact statement is required for a proposed action.

(d) "Governmental action" means activities, including projects wholly or partially conducted, permitted, assisted, financed, regulated or approved by units of government including the federal government.

(e) "Governmental unit" means any state agency and any general or special purpose unit of government in the state including, but not limited to, watershed districts organized under chapter 112, counties, towns, cities, port authorities and housing authorities, but not including courts, school districts and regional development commissions other than the metropolitan council.

Sec. 2. Minnesota Statutes 1978, Section 116D.04, is amended by adding a subdivision to read:

Subd. 2a. Where there is potential for significant environmental effects resulting from any major governmental action, the action shall be preceded by a detailed environmental impact statement prepared by the responsible governmental unit. The environmental impact statement shall be an analytical rather than an encyclopedic document which describes the proposed action in detail, analyzes its significant environmental impacts, discusses appropriate alternatives to the proposed action and their impacts, and explores methods by which adverse environmental impacts of an action could be mitigated. The environmental impact statement shall also analyze those economic, employment and sociological effects that cannot be avoided should the action be implemented. To ensure its use in the decision making process, the environmental impact statement shall be prepared as early as practical in the formulation of an action.

(a) The board shall by rule establish categories of actions for which environmental impact statements and for which environmental assessment worksheets shall be prepared as well as categories of actions for which no environmental review is required under this section.

(b) The responsible governmental unit shall promptly publish notice of the completion of an environmental assessment worksheet in a manner to be determined by the board and shall provide copies of the environmental assessment worksheet to the board and its member agencies. Comments on the need for an environmental impact statement may be submitted to the responsible governmental unit during a 30 day period following publication of the notice that an environmental assessment worksheet has been completed. The responsible governmental unit's decision on the need for an environmental impact statement shall be based on the environmental assessment worksheet and the comments received during the comment period, and shall be made within 15 days after

the close of the comment period. The board's chairman may extend the 15 day period by not more than 15 additional days upon the request of the responsible governmental unit.

(c) An environmental assessment worksheet shall also be prepared for a proposed action whenever material evidence accompanying a petition by not less than 25 individuals, submitted before the proposed project has received final approval by the appropriate governmental units, demonstrates that, because of the nature or location of a proposed action, there may be potential for significant environmental effects. Petitions requesting the preparation of an environmental assessment worksheet shall be submitted to the board. The chairman of the board shall determine the appropriate responsible governmental unit and forward the petition to it. A decision on the need for an environmental assessment worksheet shall be made by the responsible governmental unit within 15 days after the petition is received by the responsible governmental unit. The board's chairman may extend the 15 day period by not more than 15 additional days upon request of the responsible governmental unit.

(d) The board may, prior to final approval of a proposed project, require preparation of an environmental assessment worksheet by a responsible governmental unit selected by the board for any action where environmental review under this section has not been specifically provided for by rule or otherwise initiated.

(e) An early and open process shall be utilized to limit the scope of the environmental impact statement to a discussion of those impacts, which, because of the nature or location of the project, have the potential for significant environmental effects. The same process shall be utilized to determine the form, content and level of detail of the statement as well as the alternatives which are appropriate for consideration in the statement. In addition the permits which will be required for the proposed action shall be identified during the scoping process. Further, the process shall identify those permits for which information will be developed concurrently with the environmental impact statement. The board shall provide in its rules for the expeditious completion of the scoping process. The determinations reached in the process shall be incorporated into the order requiring the preparation of an environmental impact statement.

(f) Whenever practical, information needed by a governmental unit for making final decisions on permits or other actions required for a proposed project shall be developed in conjunction with the preparation of an environmental impact statement.

(g) An environmental impact statement shall be prepared and its adequacy determined within 280 days after notice of its preparation unless the time is extended by consent of the parties or by the governor for good cause. The responsible governmental unit shall determine the adequacy of an environmental impact statement, unless within 60 days after notice is published that an environmental impact statement will be prepared, the board chooses to determine the adequacy of an environmental impact

statement. If an environmental impact statement is found to be inadequate, the responsible governmental unit shall have 60 days to prepare an adequate environmental impact statement.

Sec. 3. Minnesota Statutes 1978, Section 116D.04, is amended by adding a subdivision to read:

Subd. 3a. Within 90 days after final approval of an environmental impact statement, final decisions shall be made by the appropriate governmental units on those permits which were identified as required and for which information was developed concurrently with the preparation of the environmental impact statement. Provided, however, that the 90 day period may be extended where a longer period is required by federal law or state statute or is consented to by the permit applicant. The permit decision shall include the reasons for the decision, including any conditions under which the permit is issued, together with a final order granting or denying the permit.

Sec. 4. Minnesota Statutes 1978, Section 116D.04, is amended by adding a subdivision to read:

Subd. 4a. The board shall by rule identify alternative forms of environmental review which will address the same issues and utilize similar procedures as an environmental impact statement in a more timely or more efficient manner to be utilized in lieu of an environmental impact statement.

Sec. 5. Minnesota Statutes 1978, Section 116D.04, is amended by adding a subdivision to read:

Subd. 5a. The board shall, by January 1, 1981, promulgate rules in conformity with this chapter and the provisions of chapter 15, establishing:

(a) The governmental unit which shall be responsible for environmental review of a proposed action;

(b) The form and content of environmental assessment worksheets;

(c) A scoping process in conformance with subdivision 2a, clause (e);

(d) A procedure for identifying during the scoping process the permits necessary for a proposed action and a process for coordinating review of appropriate permits with the preparation of the environmental impact statement;

(e) A standard format for environmental impact statements;

(f) Standards for determining the alternatives to be discussed in an environmental impact statement;

(g) Alternative forms of environmental review which are acceptable pursuant to subdivision 4a;

(h) A model ordinance in lieu of the environmental impact statement process required by this section which may be adopted

by local governmental units where the local governmental unit is the responsible governmental unit for reviewing a proposed action. The model ordinance shall provide for adequate consideration of appropriate alternatives, and shall ensure that decisions are made in accordance with the policies and purposes of this act;

(i) Procedures to reduce paperwork and delay through inter-governmental cooperation and the elimination of unnecessary duplication of environmental reviews;

(j) Procedures for expediting the selection of consultants by the governmental unit responsible for the preparation of an environmental impact statement; and

(k) Any additional rules which are reasonably necessary to carry out the requirements of this section.

Sec. 6. Minnesota Statutes 1978, Section 116D.04, is amended by adding a subdivision to read:

Subd. 6a. Prior to the preparation of a final environmental impact statement, the governmental unit responsible for the statement shall consult with and request the comments of every governmental office which has jurisdiction by law or special expertise with respect to any environmental effect involved. Copies of the drafts of such statements and the comments and views of the appropriate offices shall be made available to the public. The final detailed environmental impact statement and the comments received thereon shall precede final decisions on the proposed action and shall accompany the proposal through an administrative review process.

Sec. 7. Minnesota Statutes 1978, Section 116D.04, is amended by adding a subdivision to read:

Subd. 10. Decisions on the need for an environmental assessment worksheet, the need for an environmental impact statement and the adequacy of an environmental impact statement may be reviewed by certiorari by the district court of the county wherein the proposed action, or any part thereof, would be undertaken. No bond shall be required under Minnesota Statutes, Section 562.02, as a prerequisite to review under this subdivision. The board may initiate judicial review of decisions referred to herein and may intervene as of right in any proceeding brought under this subdivision.

Sec. 8. Minnesota Statutes 1978, Section 116D.04, is amended by adding a subdivision to read:

Subd. 11. If the board or governmental unit which is required to act within a time period specified in this section fails to so act, any person may seek an order of the district court requiring the board or governmental unit to immediately take the action mandated by subdivisions 2a and 3a.

Sec. 9. Rules adopted under the authority of section 116D.04

which are in effect on the effective date of this act shall remain in effect until the rules required by this section become effective.

Sec. 10. [REPEALER.] *Minnesota Statutes 1978, Section 116D.04, Subdivision 1, 2, 3, 4 and 5 are repealed.*

Sec. 11. [EFFECTIVE DATE.] *Sections 1 to 10 are effective the day following final enactment."*

Amend the title as follows:

Delete the title and insert:

"A bill for an act relating to the environment; altering the procedure for environmental review; providing for alternative forms of environmental review; amending Minnesota Statutes 1978, Section 116D.04, by adding subdivisions; repealing Minnesota Statutes 1978, Section 116D.04, Subdivisions 1, 2, 3, 4, and 5."

And when so amended the bill do pass. Amendments adopted.
Report adopted.

Mr. Anderson from the Committee on Energy and Housing, to which was referred

S. F. No. 2099: A bill for an act relating to housing; permitting an increase in certain grants made by the housing finance agency; authorizing limitations on the assumability of mortgages made or purchased by the agency; modifying the program for moderate rehabilitation of rental properties; amending Minnesota Statutes 1978, Section 462A.05, Subdivision 17; and Minnesota Statutes, 1979 Supplement, Sections 462A.05, Subdivision 15; and 462A.21, Subdivision 11.

Reports the same back with the recommendation that the bill be amended as follows:

Page 3, line 15, after "property" strike "of" and delete "two" and strike "units or more"

Page 3, line 22, delete "or any more"

Page 3, line 23, delete "stringent energy standard established by the agency"

Page 3, after line 32, insert:

"Sec. 4. Minnesota Statutes, 1979 Supplement, Section 462C.03, is amended by adding a subdivision to read:

Subd. 9. The plan may include limitations or prohibitions on the assumption of the loans or other terms which are inconsistent with section 47.20, subdivision 6, for notes or bonds issued by the city pursuant to section 462C.07."

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 5, delete "the" and insert "a state or local"

Page 1, line 10, delete "and"

Page 1, line 11, before the period insert "; and 462C.03, by adding a subdivision"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Anderson from the Committee on Energy and Housing, to which was re-referred

S. F. No. 1459: A bill for an act relating to the Minnesota housing finance agency; establishing a veterans' homeownership assistance program; providing for an increase in the authorization for agency bonds and notes; appropriating money; amending Minnesota Statutes 1978, Sections 462A.03, by adding subdivisions; 462A.05, by adding a subdivision; and Minnesota Statutes, 1979 Supplement, Section 462A.22, Subdivision 1.

Reports the same back with the recommendation that the bill be amended as follows:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1978, Section 462A.05, is amended by adding a subdivision to read:

Subd. 19. It may make grants of up to \$4,000 to veterans or veterans' dependents whose household annual gross income does not exceed \$22,000 to assist in making down payments to enable them to purchase new or existing housing to be used as their principal place of residence. To be eligible, the veteran or veteran's dependent must not have owned a home for the three years preceding receipt of the grant, and must enter into an agreement with the agency, with appropriate security as determined by the agency, to repay the grant amount in full if the property is sold, transferred, or otherwise conveyed, or ceases to be the recipient's principal place of residence within five years following the receipt of the grant. For the purpose of this subdivision, "veteran" means a person residing in Minnesota who has been separated under honorable conditions from any branch of the armed forces of the United States after having served on active duty for 181 consecutive days or by reason of disability incurred while serving on active duty, and who is a citizen of the United States, and who served at any time during the period from August 5, 1964 to December 31, 1976; and "veteran's dependent" means a person residing in Minnesota who is the unmarried surviving spouse of a veteran.

Sec. 2. Minnesota Statutes 1978, Section 462A.21, is amended by adding a subdivision to read:

Subd. 4g. It may create a revolving fund to be used to make grants for the purpose of section 1 and pay the costs and expenses necessary and incidental to the development and operation of the grant program authorized therein.

Sec. 3. [APPROPRIATION.] \$4,000,000 is appropriated from the general fund to the housing development fund created by sec-

tion 462A.20 for the veterans housing assistance program provided by section 1, and to pay related costs and expenses.

The approved complement of the Minnesota housing finance agency is increased by one position and the cost limit is increased by \$......"

Amend the title as follows:

Page 1, line 4, delete "providing for an increase in the"

Page 1, delete line 5

Page 1, line 7, delete "462A.03, by adding subdivisions;"

Page 1, line 8, delete "Minnesota"

Page 1, delete line 9

Page 1, line 10, delete "Subdivision 1" and insert "462A.21, by adding a subdivision"

And when so amended the bill do pass and be re-referred to the Committee on Finance. Amendments adopted. Report adopted.

Mr. Anderson from the Committee on Energy and Housing, to which was referred

S. F. No. 2312: A resolution memorializing the President and Congress to adopt federal legislation concerning the destruction of certain energy facilities.

Reports the same back with the recommendation that the resolution do pass and be re-referred to the Committee on Rules and Administration. Report adopted.

Mr. Perpich from the Committee on Health, Welfare and Corrections, to which was referred

S. F. No. 1053: A bill for an act relating to health; authorizing the commissioner of health to establish a research program concerning therapeutic uses of marijuana; establishing requirements for the program; appropriating money.

Reports the same back with the recommendation that the bill be amended as follows:

Delete everything after the enacting clause and insert:

"Section 1. [FINDINGS AND PURPOSE.] The legislature finds that scientific literature indicates promise for delta-9-tetrahydrocannabinol (THC), the active component of marijuana, in alleviating certain side effects of cancer chemotherapy under strictly controlled medical circumstances.

The legislature also finds that further research and strictly controlled experimentation regarding the therapeutic use of THC is necessary and desirable. The intent of sections 1 to 7 is to establish an extensive research program to investigate and report on the therapeutic effects of THC under strictly controlled circumstances

in compliance with all federal laws and regulations promulgated by the federal food and drug administration, the national institute on drug abuse and the drug enforcement administration. The intent of the legislature is to allow this research program the greatest possible access to qualified cancer patients residing in Minnesota who meet protocol requirements. The establishment of this research program is not intended in any manner whatsoever to condone or promote the illicit recreational use of marijuana.

Sec. 2. [DEFINITIONS.] Subdivision 1. For purposes of sections 1 to 7, the following terms shall have the meanings given.

Subd. 2. "Commissioner" means the commissioner of health.

Subd. 3. "Marijuana" means marijuana as defined in Minnesota Statutes, Section 152.01, Subdivision 9, and delta-9-tetrahydrocannabinols (THC), tetrahydrocannabinols or a chemical derivative of tetrahydrocannabinols, and all species of the genus *Cannabis*.

Subd. 4. "Principal investigator" means the individual responsible for the medical and scientific aspects of the research, development of protocol, and contacting and qualifying the clinical investigators in the state.

Subd. 5. "Clinical investigators" means those individuals who conduct the clinical trials.

Subd. 6. "Sponsor" means that individual or organization who, acting on behalf of the state, has the total responsibility for the state program.

Sec. 3. [RESEARCH GRANT.] The commissioner of health shall grant funds to the principal investigator selected by the commissioner pursuant to section 4 for the purpose of conducting a research program under a protocol approved by the FDA regarding the therapeutic use of oral THC and other dosage forms, if available, according to the guidelines and requirements of the federal food and drug administration, the drug enforcement administration and the national institute on drug abuse. The commissioner shall ensure that the research principal investigator complies with the requirements of section 5. The commissioner may designate the principal investigator as the sponsor.

The commissioner shall report to the legislature on January 1 of each odd-numbered year on the number of oncologists and patients involved in the program and the results available at that date regarding the effects of therapeutic use of THC on patients involved in the program. The commissioner shall also report on the current status of THC under the federal Food, Drug and Cosmetic Act and the federal Controlled Substances Act.

Sec. 4. [PRINCIPAL INVESTIGATOR.] Within three months of the effective date of sections 1 to 7, the commissioner shall, in consultation with a representative chosen by the state board of pharmacy and a representative chosen by the state board of medical examiners, select a person or research organization to be the principal investigator of the research program.

Sec. 5. [DUTIES.] The principal investigator shall:

(1) Apply to the Food and Drug Administration for a notice of "Claimed Investigational Exemption for a New Drug (IND)" pursuant to the Federal Food, Drug and Cosmetic Act, 21 U.S.C., Section 301, et seq., and shall comply with all applicable laws and regulations of the federal food and drug administration, the drug enforcement administration, and the national institute on drug abuse in establishing the program;

(2) Notify every oncologist in the state of the program, explain the purposes and requirements of the program to them, provide on request each of them with a copy of the approved protocol which shall include summaries of current papers in medical journals reporting on research concerning the safety, efficacy and appropriate use of THC in alleviating the nausea and emetic effects of cancer chemotherapy, and provide on request each of them with a bibliography of other articles published in medical journals;

(3) Allow each oncologist (clinical investigator) in the state who meets or agrees to meet all applicable federal requirements for investigational new drug research and who so requests to be included in the research program as a clinical investigator to conduct the clinical trials;

(4) Provide explanatory information and assistance to each clinical investigator in understanding the nature of therapeutic use of THC within program requirements, including the Informed Consent Document contained in the protocol, informing and counseling patients involved in the program regarding the appropriate use and the effects of therapeutic use of THC;

(5) Apply to contract with the national institute on drug abuse for receipt of dosage forms of THC, fully characterized as to contents and delivery to the human system, pursuant to regulations promulgated by the national institute on drug abuse, and the federal food and drug administration. The principal investigators shall ensure delivery of the THC dosages to clinical investigators as needed for participation in the program;

(6) Conduct the research program in compliance with federal laws and regulations promulgated by the federal food and drug administration, the drug enforcement administration, the national institute on drug abuse, and the purposes and provisions of sections 1 to 7;

(7) Submit periodic reports as determined by the commissioner on the numbers of oncologists and patients involved in the program and the results of the program;

(8) Submit reports on intermediate or final research results, as appropriate, to the major scientific journals in the United States; and

(9) Otherwise comply with the provisions of sections 1 to 7.

Sec. 6. [EXEMPTION FROM CRIMINAL SANCTIONS.]

For the purposes of sections 1 to 7, the following are not violations listed in sections 152.09 or 152.15:

(1) Use or possession of THC, or both, by a patient in the research program;

(2) Possession, prescribing use of, administering, or dispensing THC, or any combination of these actions, by the principal investigator or by any clinical investigator;

(3) Possession or distribution of THC, or both, by a pharmacy registered to handle Schedule I substances which stores THC on behalf of the principal investigator or a clinical investigator.

THC obtained and distributed pursuant to sections 1 to 7 is not subject to forfeiture under section 152.19.

For the purposes of sections 1 to 7, THC is removed from Schedule I contained in section 152.02, subdivision 2, and inserted in Schedule II contained in section 152.02, subdivision 3.

Sec. 7. [CITATION.] Sections 1 to 7 may be cited as the "THC Therapeutic Research Act."

Sec. 8. [APPROPRIATION.] \$100,000 is appropriated from the general fund to the commissioner of health for the purposes of sections 1 to 7, to be available until June 30, 1981. The commissioner shall not use more than \$10,000 of this appropriation for administrative expenses.

Sec. 9. [EFFECTIVE DATE.] Sections 1 to 8 are effective the day following final enactment."

Amend the title as follows:

Page 1, delete lines 2 to 6 and insert

"relating to health; establishing a THC therapeutic research program in compliance with federal laws and regulations; directing the commissioner of health to make a grant; providing exemptions from criminal sanctions; appropriating money."

And when so amended the bill do pass and be re-referred to the Committee on Finance. Amendments adopted. Report adopted.

Mr. Perpich from the Committee on Health, Welfare and Corrections, to which was referred

S. F. No. 1883: A bill for an act relating to public welfare; providing for a study of revisions to the nursing home rate reimbursement formula; providing for an information retrieval system; appropriating money; amending Minnesota Statutes 1978, Section 256B.47, by adding a subdivision.

Reports the same back with the recommendation that the bill be amended as follows:

Page 2, delete lines 22 to 25 and insert *"increases based on the Food at Home Index of the federal Bureau of Labor and update the total per diem food allowance in order to reconcile it with the 1980 Food at Home Index; and*

(b) Allow providers to allocate their resources in order to provide as many nursing hours as necessary within the total cost limitations of the per diem already granted."

And when so amended the bill do pass and be re-referred to the Committee on Finance. Amendments adopted. Report adopted.

Mr. Perpich from the Committee on Health, Welfare and Corrections, to which was referred

S. F. No. 2049: A bill for an act relating to public health; providing for the establishment of programs for oral and dental health for nursing home residents; appropriating money.

Reports the same back with the recommendation that the bill be amended as follows:

Page 2, line 7, delete "update and revise" and insert "review"

Page 2, line 8, delete ", monitor their implementation, and" and insert "to insure their consistency with current oral health standards;"

Page 2, delete line 9

Page 2, line 10, delete "of,"

Page 2, line 10, delete "coordinate a" and insert "coordination of a"

Page 2, line 11, delete the comma

Page 2, line 11, after "profession" insert ", the nursing home industry"

Page 2, line 21, delete "local" and insert "resident"

Page 2, line 22, delete "health" and insert "care"

Page 2, line 22, after "to" insert "access and"

Page 2, line 23, delete the semicolon and insert "care and maintenance; and"

Page 2, line 25, delete "; and" and insert a period

Page 2, delete lines 26 to 30

Page 2, line 33, delete ~~everything~~ after "2" and insert ". The development and administration of the program shall be under a licensed dentist."

Page 3, delete lines 1 and 2

Page 3, line 5, delete ~~and shall~~ submit to the" and insert a period

Page 3, delete lines 6 to 10

Page 3, line 13, delete "No"

Page 3, delete lines 14 to 16

And when so amended the bill do pass and be re-referred to the Committee on Finance. Amendments adopted. Report adopted.

Mr. Schaaf from the Committee on Governmental Operations, to which was referred

S. F. No. 1690: A bill for an act relating to state departments; providing for the creation of a state employee assistance program in the department of administration; amending Minnesota Statutes 1978, Section 16.02, by adding a subdivision.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 13, delete "*spouses*" and insert "*dependents*"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Schaaf from the Committee on Governmental Operations, to which was referred

S. F. No. 2066: A bill for an act relating to retirement; contributions and benefits of judges and survivors under the uniform retirement and survivors' annuities law; amending Minnesota Statutes 1978, Sections 490.123, Subdivision 1; and 490.124, Subdivisions 1, 9 and 12.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 21, after "*payment*" insert "*a sum equal to one-half of one percent of salary, plus*"

Page 1, lines 22 and 23, reinstate the stricken language and delete the new language

Page 2, line 1, reinstate the stricken language

Page 2, line 2, reinstate "9" and before the period insert "*, but in aggregate not less than seven percent of salary*"

Pages 2 and 3, delete sections 3 and 4

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 6, delete "*Subdivisions*" and insert "*Subdivision*" and delete "*, 9 and*"

Page 1, line 7, delete "12"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Schaaf from the Committee on Governmental Operations, to which was re-referred

S. F. No. 210: A bill for an act relating to education; providing

and regulating certain mobility incentives for certain teachers in the community colleges and state universities; amending Minnesota Statutes 1978, Sections 354.094, Subdivisions 1, 2, 3 and 5; 354.66, Subdivisions 1, 2, 7, 9 and 10, and by adding subdivisions; and 354.69.

Reports the same back with the recommendation that the bill be amended as follows:

Pages 3 and 4, delete section 2

Page 5, line 5, delete "*of this act*"

Pages 5 and 6, delete section 5 and insert:

"Sec. 4. Minnesota Statutes, 1979 Supplement, Section 354.094, Subdivision 3, is amended to read:

Subd. 3. A member on extended leave of absence pursuant to section 125.60 *or section 1* who does not pay employee contributions into the fund in any year shall be deemed to cease to render teaching services beginning in that year for purposes of this chapter and may not pay employee contributions into the fund in any subsequent year of the leave. Nonpayment of employee contributions into the fund shall not affect the rights or obligations of the ~~teacher member~~ or his ~~employing school district employer~~ under section 125.60."

Page 6, lines 11 and 19, delete "*of this act*"

Pages 6 and 7, delete section 10 and insert:

"Sec. 9. Minnesota Statutes, 1979 Supplement, Section 354.66, Subdivision 2, is amended to read:

Subd. 2. A teacher in the public elementary, secondary or area vocational-technical schools, *in the community college system or the state university system* of the state who has 20 years or more of allowable service or 20 years or more of full time teaching service in Minnesota public elementary, secondary and area vocational-technical schools may, by agreement with the board of the employing district, be assigned to teaching service within the district in a part time teaching position."

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 6, delete ", 3"

Page 1, line 7, delete "2,"

Page 1, line 8, delete "and" and before the period, insert "; Minnesota Statutes, 1979 Supplement, Sections 354.094, Subdivision 3; and 354.66, Subdivision 2"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Willet from the Committee on Agriculture and Natural Resources, to which was referred

S. F. No. 870: A bill for an act relating to eminent domain; eliminating mandatory purchases of land for high voltage transmission lines and plant sites; repealing Minnesota Statutes 1978, Section 116C.63, Subdivisions 4 and 5.

Reports the same back with the recommendation that the bill be amended as follows:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1978, Section 116C.63, Subdivision 4, is amended to read:

Subd. 4. When *private real property* defined as class 3, 3b, 3c, 3cc, 3d, or 3f pursuant to section 273.13 is proposed to be acquired for the construction of a site or route by eminent domain proceedings, ~~the property fee owner, or when applicable, the fee owner with the written consent of the contract for deed vendee, or the contract for deed vendee with the written consent of the fee owner, shall have the option to require the utility to condemn a fee interest in any amount of contiguous, commercially viable land which he wholly owns or has contracted to own in undivided fee and elects in writing to transfer to the utility within 60 days after his receipt of the notice of the objects of the petition filed pursuant to section 117.055. Commercial viability shall be determined without regard to the presence of the utility route or site. The owner or, when applicable, the contract vendee shall have only one such option and may not expand or otherwise modify his election without the consent of the utility. The required acquisition of land contiguous to, but outside the designated right-of-way of a route or the boundary of a site, pursuant to this subdivision shall be considered an acquisition for a public purpose and for use in the utility's business, for purposes of chapter 117 and section 500.24, respectively; provided that a utility shall divest itself completely of all such lands used for farming or capable of being used for farming within five years after the date of acquisition, or such land shall be sold at a public sale in the manner prescribed by law for the foreclosure of a mortgage by action not later than the time it can receive the market value paid at the time of acquisition of lands less any diminution in value by reason of the presence of the utility route or site. Upon the owner's election made under this subdivision, the easement interest over and adjacent to the lands designated by the owner to be acquired in fee, sought in the condemnation petition for a high voltage transmission line right-of-way shall automatically be converted into a fee taking.~~

Sec. 2. Minnesota Statutes 1978, Section 116D.04, is amended by adding a subdivision to read:

Subd. 10. *No attempt need be made to tabulate, analyze or otherwise evaluate the potential impact of elections made pursuant to section 116C.63, subdivision 4, in environmental impact statements done for large electric power facilities. It is sufficient for purposes of this chapter that such statements note the existence of section 116C.63, subdivision 4.*

Sec. 3. Sections 1 and 2 are effective for any notice of the objects of the petition served after the day following final enactment."

Amend the title as follows:

Delete lines 2 to 6 and insert:

"relating to electric utilities; altering provisions for the required condemnation of lands contiguous to sites or routes of electric utilities; clarifying that certain required land condemnations need not be considered in environmental impact statements; amending Minnesota Statutes 1978, Sections 116C.63, Subdivision 4; and 116D.04, by adding a subdivision."

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Willet from the Committee on Agriculture and Natural Resources, to which was re-referred

S. F. No. 2044: A bill for an act relating to eminent domain; limiting the authority to acquire certain property by condemnation; repealing certain obsolete provisions of law authorizing acquisition by condemnation; amending Minnesota Statutes 1978, Sections 84.033; 84.154, Subdivision 3; 84A.10; 84A.39; 84A.55, Subdivision 13; 85.015, Subdivisions 12 and 13; 88.09, Subdivision 2; 89.032, Subdivision 1; 105.39, Subdivision 4; and 463.03; repealing Minnesota Statutes 1978, Sections 38.05; 117.31; 123.40, Subdivision 6; 161.29; 222.42; 308.39; and 643.06.

Reports the same back with the recommendation that the bill be amended as follows:

Page 3, line 30, reinstate "acquire by" and after "by" insert "gift or"

Page 5, line 2, strike everything after "thence"

Page 5, strike line 3

Page 5, line 4, strike everything before "southwesterly"

Page 5, line 5, strike "Blackberry" and insert "Grand Rapids"

Page 6, line 5, strike "or" and insert a comma

Page 6, line 6, after "on" insert "or acquire by condemnation"

Page 6, lines 11 and 12, reinstate the stricken language

Page 7, after line 9, insert:

"Sec. 11. Minnesota Statutes 1978, Section 123.64, is amended to read:

123.64 [AGRICULTURAL EDUCATION.] The board of any district in which instruction in agriculture is afforded is authorized and empowered to purchase or otherwise acquire by condemnation proceedings as provided for acquiring schoolhouse sites in the name and in behalf of such district, a suitable tract of land either

within or without the limits of such district to be used for the purpose of instruction, experimentation, and demonstration in agriculture. The provisions of this section shall apply as well to districts organized under special acts as under the general laws, notwithstanding any provisions or restrictions in the laws under which the same are organized.

Sec. 12. Minnesota Statutes 1978, Section 136.65, Subdivision 1, is amended to read:

136.65 [COMMUNITY COLLEGE SITES, ACQUISITION.] Subdivision 1. A city, county, school district, or unorganized territory, or other body corporate and politic may, either jointly or severally, acquire by gift, or purchase, or ~~condemnation~~ a site for a community college if the site has been designated by the state board for community colleges as the site of a community college, and may convey any such site to the state of Minnesota for community college purposes. Any of the governmental instrumentalities named in this section may convey to the state board for community colleges for community college purposes any of its lands not needed for its purposes, if such lands are included in a site designated by the state board for community colleges as the site of a community college.

Sec. 13. Minnesota Statutes 1978, Section 137.01, Subdivision 2, is amended to read:

Subd. 2. [HOW USED.] If the purposes of the gift, grant, devise, or bequest are not otherwise limited by the donor, the University of Minnesota may use the same, or the proceeds thereof, for any of the purposes of the university and may, among other things, construct buildings and acquire lands. ~~In case it is desired to use the same for the acquisition of land, the power of eminent domain may be exercised in accordance with chapter 117.~~

Sec. 14. Minnesota Statutes 1978, Section 137.02, Subdivision 1, is amended to read:

137.02 [POWERS AND DUTIES OF BOARD OF REGENTS.]¹ Subdivision 1. [TRANSPORTATION BETWEEN UNIVERSITY CAMPUS AND FARM.] The board of regents is hereby authorized to provide adequate means for safe, convenient, and rapid transportation of persons, supplies, and materials between the university farm and the university campus and the transportation of persons from intermediate points to either the university campus or the university farm and from the university campus or university farm to intermediate points and for the transportation of supplies and materials to and from the university farm by means of a connection with the belt line railway operated by the Minnesota Transfer Railway Company; and to that end the board of regents is hereby authorized to acquire by gift, purchase, ~~condemnation~~, or otherwise such rights-of-way as may be deemed necessary and to construct, maintain, and operate lines of railway thereon and to make such contracts with any railway company for trackage rights, track connections, and motive power or for the hiring of rolling stock or for the operation of the same as may be

found necessary or expedient in carrying out the provisions of this subdivision. The board of regents shall prescribe the rate of fares which shall be charged for the transportation of persons, which fares when collected shall be kept in a separate fund and used to defray the expense of maintaining and operating such railway.

Sec. 15. Minnesota Statutes 1978, Section 137.02, Subdivision 3, is amended to read:

Subd. 3. [LAND ACQUISITION.] The board of regents may use any money not specifically appropriated for other purposes for acquiring land by purchase or condemnation. In case it is desired to use the fund for the acquisition of land by eminent domain, the power of eminent domain shall be exercised in accordance with chapter 117.

Sec. 16. Minnesota Statutes 1978, Section 190.11, is amended to read:

190.11 [CAMP GROUNDS AND MILITARY RESERVATIONS.] The adjutant general shall have charge of the camp grounds and military reservations of the state and shall be responsible for the protection and safety thereof, and promulgate regulations for the maintenance of order thereon, for the enforcement of traffic rules and for all other lawful regulations as may be ordered for the operation, care and preservation of existing facilities and installations on all state military reservations.

He shall keep in repair all state buildings, and other improvements thereon, including water pipes laid by the state on highways leading thereto and of all military property connected with the grounds. He may make such further improvements thereon as the good of the service requires.

Private property may be acquired by condemnation, upon the application of the adjutant general, for camp ground, rifle range, and other military purposes. All damages, cost, and expense incurred in condemning such property shall be paid by the state treasurer, upon certificate of the adjutant general and warrant of the commissioner of finance, from any unexpended balance of the military fund after meeting the demands of the national guard.

Sec. 17. Minnesota Statutes 1978, Section 193.143, is amended to read:

193.143 [STATE ARMORY BUILDING COMMISSION, POWERS.] Such corporation, subject to the conditions and limitations prescribed in sections 193.141 to 193.149, shall possess all the powers of a body corporate necessary and convenient to accomplish the objectives and perform the duties prescribed by sections 193.141 to 193.149, including the following, which shall not be construed as a limitation upon the general powers hereby conferred:

(1) To acquire by lease, purchase, or gift or condemnation proceedings all necessary right, title and interest in and to the lands required for a site for a new armory and all other real or personal property required for the purposes contemplated by the

military code and to hold and dispose of the same, subject to the conditions and limitations herein prescribed; provided that any such real or personal property or interest therein may be so acquired or accepted subject to any condition which may be imposed thereon by the grantor or donor and agreed to by such corporation not inconsistent with the proper use of such property by the state for armory or military purposes as herein provided.

~~(2)~~ To exercise the right of eminent domain in the manner provided by chapter 117, for the purpose of acquiring any property which such corporation is herein authorized to acquire by condemnation; provided, that the corporation may take possession of any such property so to be acquired at any time after the filing of the petition describing the same in condemnation proceedings; provided further, that this shall not preclude the corporation from abandoning the condemnation of any such property in any case where possession thereof has not been taken.

~~(3)~~ (2) To construct and equip new armories as authorized herein; to pay therefor out of the funds obtained as hereinafter provided and to hold, manage, and dispose of such armory, equipment, and site as hereinafter provided. The total amount of bonds issued on account of such armories shall not exceed the amount of the cost thereof; provided also, that the total bonded indebtedness of the commission shall not at any time exceed the aggregate sum of \$4,500,000.

~~(4)~~ (3) To sue and be sued.

~~(5)~~ (4) To contract and be contracted with in any matter connected with any purpose or activity within the powers of such corporations as herein specified; provided, that no officer or member of such corporation shall be personally interested, directly or indirectly, in any contract in which such corporation is interested.

~~(6)~~ (5) To employ any and all professional and non-professional services and all agents, employees, workmen and servants necessary and proper for the purposes and activities of such corporation as authorized or contemplated herein and to pay for the same out of any portion of the income of the corporation available for such purposes or activities. The officers and members of such corporation shall not receive any compensation therefrom, but may receive their reasonable and necessary expenses incurred in connection with the performance of their duties; provided however, that whenever the duties of any member of the commission require his full time and attention the commission may compensate him therefor at such rates as it may determine.

~~(7)~~ (6) To borrow money and issue bonds for the purposes and in the manner and within the limitations herein specified, and to pledge any and all property and income of such corporation acquired or received as herein provided to secure the payment of such bonds, subject to the provisions and limitations herein prescribed, and to redeem any such bonds if so provided therein or in the mortgage or trust deed accompanying the same.

~~(8)~~ (7) To use for the following purposes any available moneys received by such corporation from any source as herein provided in excess of those required for the payment of the cost of such armory and for the payment of any bonds issued by the corporation and interest thereon according to the terms of such bonds or of any mortgage or trust deed accompanying the same:

(a) To pay the necessary incidental expenses of carrying on the business and activities of the corporation as herein authorized;

(b) To pay the cost of operating, maintaining, repairing, and improving such new armories;

(c) If any further excess moneys remain, to purchase upon the open market at or above or below the face or par value thereof any bonds issued by the corporation as herein authorized; provided, that any bonds so purchased shall thereupon be canceled.

~~(9)~~ (8) To adopt and use a corporate seal.

~~(10)~~ (9) To adopt all needful bylaws, rules, and regulations for the conduct of business and affairs of such corporation and for the management and use of all armories while under the ownership and control of such corporation as herein provided, not inconsistent with the use of such armory for armory or military purposes.

~~(11)~~ (10) Such corporation shall issue no stock.

~~(12)~~ (11) No officer or member of such corporation shall have any personal share or interest in any funds or property of the corporation or be subject to any personal liability by reason of any liability of the corporation.

~~(13)~~ (12) The Minnesota state armory building commission created under section 193.142 shall keep all moneys and credits received by it as a single fund, to be designated as the "Minnesota State Armory Building Commission Fund," with separate accounts for each armory; and the commission may make transfers of moneys from funds appertaining to any armory under its control for use for any other such armory; provided such transfers shall be made only from moneys on hand, from time to time, in excess of the amounts required to meet payments of interest or principal on bonds or other obligations appertaining to the armory to which such funds pertain and only when necessary to pay expenses of operation, maintenance and debt service of such other armory; provided further, no such transfer of any moneys paid for the support of any armory by the municipality in which such armory is situated shall be made by the commission.

~~(14)~~ (13) The corporation created under section 193.142 may designate one or more state or national banks as depositories of its funds, and may provide, upon such conditions as the corporation may determine, that the treasurer of the corporation shall be exempt from personal liability for loss of funds deposited in any such depository due to the insolvency or other acts or omissions of such depository.

(15) (14) The governor is empowered to apply for grants of money, equipment and materials which may be made available to the states by the federal government for leasing, building and equipping armories for the use of the military forces of the state which are reserve components of the armed forces of the United States, whenever he is satisfied that the conditions under which such grants are offered by the federal government, are for the best interests of the state and are not inconsistent with the laws of the state relating to armories, and to accept such grants in the name of the state. The Minnesota state armory building commission is designated as the agency of the state to receive such grants and to use them for armory purposes as prescribed in this chapter, and by federal laws, and regulations not inconsistent therewith.

Sec. 18. Minnesota Statutes 1978, Section 193.144, Subdivision 2, is amended to read:

Subd. 2. [ACQUISITION OF SITE; CONVEYANCE TO CORPORATION.] If such county or municipality shall desire to have a new armory constructed, such county or municipality may secure by purchase, or gift, or ~~condemnation~~, and may convey to such corporation, a site for such new armory approved as suitable therefor by the adjutant general. In case such site or any part thereof or interest therein is owned or controlled by the board of park commissioners of such county or municipality or by any other governmental agency therein except the state or county or municipality, such board or other agency may convey the same by way of gift or sale to such corporation without charge.

Sec. 19. Minnesota Statutes 1978, Section 193.144, Subdivision 3, is amended to read:

Subd. 3. [OUTSTANDING OWNERSHIP OR INTEREST.] In case any person or corporation except such county, municipality or board of park commissioners or other governmental agency hereinbefore referred to shall own any lands required for such site, whether provided under subdivision 2 or under this section, or any interest in any such lands which would interfere with the use thereof by the state for armory or military purposes, such county or municipality or such board of park commissioners or other governmental agency may acquire such lands or interest by purchase, or gift, or ~~condemnation~~ and may convey the same by way of gift or sale to such corporation; provided, that notwithstanding any such outstanding ownership or interest, such corporation may, in its discretion, with the approval of the adjutant general, accept a conveyance of such lands and interests in lands for such site as may be owned or controlled by such county, municipality, board of park commissioners, or other governmental agency, and may acquire by purchase, or gift, or ~~condemnation~~ any further lands or interest in lands that may be required for such site.

Sec. 20. Minnesota Statutes 1978, Section 459.06, Subdivision 1, is amended to read:

459.06 [MUNICIPAL AND MEMORIAL FORESTS.] Subdi-

vision 1. [ACCEPT DONATIONS.] Any county, city, or town in this state, by resolution of the governing body thereof, may accept donations of land that such governing body may deem to be better adapted for the production of timber and wood than for any other purpose, for a forest, and may manage the same on forestry principles. The donor of not less than 100 acres of any such land shall be entitled to have the same perpetually bear his or her name. The governing body of any city, or town in this state, when funds are available or have been levied therefor, may, when authorized by a majority vote by ballot of the voters voting at any general or special city election or town meeting where such question is properly submitted, purchase or obtain by condemnation proceedings, and preferably at the sources of streams, any tract of land for a forest which is better adapted for the production of timber and wood than for any other purpose, and which is conveniently located for the purpose, and manage the same on forestry principles; the selection of such lands and the plan of management thereof shall have the approval of the director of lands and forestry. Such city or town is authorized to levy and collect an annual tax of not exceeding one and two-thirds mills on the dollar of its assessed real estate valuation, in addition to all other taxes authorized or permitted by law, to procure and maintain such forests."

Page 7, after line 14, insert:

"Sec. 22. Minnesota Statutes 1978, Section 641.263, Subdivision 2, is amended to read:

Subd. 2. [ACQUISITION OF SITE, BUILDINGS.] The regional jail board may lease suitable premises or acquire by gift, or purchase, or condemnation proceedings instituted in the name of the county, a suitable site, and erect on the site buildings suitable for a regional jail. Condemnation proceedings shall be conducted in the manner provided in Minnesota Statutes 1961, Chapter 117. No premises shall be leased, site acquired, or building erected without the approval of the county board of each cooperating county."

Page 7, line 15, after the semicolon insert "85A.02, Subdivision 6;"

Page 7, line 16, after "Subdivision 6;" insert "123.63;" and after "161.29;" insert "193.144, Subdivision 4;"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 5, after the semicolon, insert "changing certain obsolete language;"

Page 1, line 10, delete "and 463.03;" and insert "123.64; 136.65, Subdivision 1; 137.01, Subdivision 2; 137.02, Subdivisions 1 and 3; 190.11; 193.143; 193.144, Subdivisions 2 and 3; 459.06, Subdivision 1; 463.03; and 641.263, Subdivision 2;"

Page 1, line 11, after "38.05;" insert "85A.02, Subdivision 6;"

Page 1, line 12, after "Subdivision 6;" insert "123.63;" and after "161.29;" insert "193.144, Subdivision 4;"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Wegener from the Committee on Local Government, to which was referred

S. F. No. 2192: A bill for an act relating to local government: regulating financial reports of certain municipal hospitals and nursing homes; amending Minnesota Statutes, 1979 Supplement, Sections 471.697, Subdivision 1; and 471.698, Subdivision 1.

Reports the same back with the recommendation that the bill be amended as follows:

Page 2, line 21, after "1979" insert "*whose fiscal year is not a calendar year at the time of the effective date of this act*"

Page 2, delete lines 22 and 23 and insert "*shall submit to the state auditor a detailed statement of its financial affairs audited by a certified public accountant, a public accountant or the state auditor no later than 120 days after the close of*"

Page 2, line 24, delete everything after "year" and insert a period

Page 2, line 25, delete everything before the period and insert "*It may also submit a summary financial report for the calendar year*"

Page 3, line 33, after "1979" insert "*whose fiscal year is not a calendar year at the time of the effective date of this act*"

Page 4, delete lines 1 and 2 and insert "*shall submit to the state auditor a detailed statement of its financial affairs audited by a certified public accountant, a public accountant or the state auditor no later than 120 days after the close of*"

Page 4, line 3, delete everything after "year" and insert a period

Page 4, line 4, delete everything before the period and insert "*It may also submit a summary financial report for the calendar year*"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Davies from the Committee on Judiciary, to which was referred

S. F. No. 1549: A bill for an act relating to real estate; increasing certain fees charged by the county recorder and registrar of titles; amending Minnesota Statutes 1978, Sections 357.18, Subdivision 1; and 508.82.

Reports the same back with the recommendation that the bill do pass. Report adopted.

Mr. Davies from the Committee on Judiciary, to which was referred

S. F. No. 1677: A bill for an act relating to landlords and tenants; clarifying certain duties of landlords and tenants in relation to the return of security deposits; amending Minnesota Statutes 1978, Section 504.20, Subdivision 3.

Reports the same back with the recommendation that the bill do pass. Report adopted.

Mr. Davies from the Committee on Judiciary, to which was referred

S. F. No. 2202: A bill for an act relating to legal services; providing that the attorney general shall render bond counsel services to state agencies and political subdivisions; appropriating money.

Reports the same back with the recommendation that the bill do pass and be re-referred to the Committee on Finance. Report adopted.

Mr. Davies from the Committee on Judiciary, to which was referred

S. F. No. 2264: A bill for an act relating to delivery or filing of documents; providing for timely delivery or filing of certain documents with respect to weekends and holidays; amending Minnesota Statutes 1978, Chapter 645, by adding a section.

Reports the same back with the recommendation that the bill do pass. Report adopted.

Mr. Davies from the Committee on Judiciary, to which was referred

S. F. No. 1815: A bill for an act relating to commerce; providing for service of legal process on nonresident brokers and salespersons licensed to do business in Minnesota; amending Minnesota Statutes 1978, Section 82.31, Subdivision 3.

Reports the same back with the recommendation that the bill do pass and be placed on the Consent Calendar. Report adopted.

Mr. Davies from the Committee on Judiciary, to which was referred

S. F. No. 1836: A bill for an act relating to courts; second judicial district; providing for the appointment of the juvenile court clerk; amending Laws 1951, Chapter 653, Section 1, as amended.

Reports the same back with the recommendation that the bill do pass and be placed on the Consent Calendar. Report adopted.

Mr. Wegener from the Committee on Local Government, to which was referred

S. F. No. 1870: A bill for an act relating to local government; permitting subdivision regulation of unplatted parcels; amending Minnesota Statutes 1978, Section 462.358, by adding a subdivision.

Reports the same back with the recommendation that the bill do pass. Report adopted.

Mr. Wegener from the Committee on Local Government, to which was referred

S. F. No. 2288: A bill for an act relating to the city of Fertile; authorizing the issuance of bonds authorized at a special election.

Reports the same back with the recommendation that the bill do pass. Report adopted.

Mr. Wegener from the Committee on Local Government, to which was referred

S. F. No. 2153: A bill for an act relating to local government; clarifying basis for certain sewer charges; amending Minnesota Statutes 1978, Section 444.075, Subdivision 3.

Reports the same back with the recommendation that the bill do pass. Report adopted.

Mr. Wegener from the Committee on Local Government, to which was referred

S. F. No. 2265: A bill for an act relating to the city of Bloomington; permitting the establishment of a port authority.

Reports the same back with the recommendation that the bill do pass. Report adopted.

Mr. Wegener from the Committee on Local Government, to which was referred

S. F. No. 2280: A bill for an act relating to local government; permitting the acquisition and financing of data processing equipment by Local Government Information Systems and its members.

Reports the same back with the recommendation that the bill do pass. Report adopted.

Mr. Wegener from the Committee on Local Government, to which was referred

S. F. No. 2042: A bill for an act relating to the port authority of Winona; providing powers and conditions of debt; amending Laws 1967, Chapter 541, Section 1, as amended.

Reports the same back with the recommendation that the bill do pass. Report adopted.

Mr. Wegener from the Committee on Local Government, to which was referred

S. F. No. 2318: A bill for an act relating to counties; removing a limit on certain park maintenance expenses; amending Minnesota Statutes 1978, Section 375.26.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 20, strike "Such" and insert "*The*"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Wegener from the Committee on Local Government, to which was referred

S. F. No. 2283: A bill for an act relating to local improvements; providing for certain hearings and appeals on special assessments; amending Minnesota Statutes 1978, Sections 429.061, Subdivisions 1 and 2; and 429.081.

Reports the same back with the recommendation that the bill be amended as follows:

Page 3, line 1, insert a comma after "*person*" and after "*owner*"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Hughes from the Committee on Education, to which was referred

S. F. No. 1207: A bill for an act relating to education; authorizing the state board for community colleges to contract for certain insurance coverage for students; amending Minnesota Statutes 1978, Section 136.62, by adding a subdivision.

Reports the same back with the recommendation that the bill do pass. Report adopted.

Mr. Hughes from the Committee on Education, to which was referred

S. F. No. 1861: A bill for an act relating to education; changing the term "community schools" to "community education"; amending Minnesota Statutes 1978, Sections 120.76; 121.85; 121.86; 121.87; 121.88, Subdivisions 1, 2 and 3; and 124.271, Subdivision 4; Minnesota Statutes, 1979 Supplement, Sections 3.9279, Subdivision 7; 124.271, Subdivisions 1a, 2 and 5; and 275.125, Subdivision 8.

Reports the same back with the recommendation that the bill do pass. Report adopted.

Mr. Hughes from the Committee on Education, to which was referred

S. F. No. 2220: A bill for an act relating to education; adding the commissioner of agriculture to the equalization aid review committee; amending Minnesota Statutes 1978, Section 124.212, Subdivision 10.

Reports the same back with the recommendation that the bill do pass. Report adopted.

Mr. Tennesen from the Committee on Commerce, to which was referred

S. F. No. 1909: A bill for an act relating to banks and banking; removing certain restrictions on services that may be offered at detached facilities; amending Minnesota Statutes 1978, Section 47.53.

Reports the same back with the recommendation that the bill do pass. Report adopted.

Mr. Wegener from the Committee on Local Government, to which was referred

S. F. No. 2137: A bill for an act relating to the Knife Lake Improvement District in Kanabec County; authorizing Kanabec County to finance the cost of a certain improvement within the district.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 10, delete "378.56" and insert "378.57"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Davies from the Committee on Judiciary, to which was referred

S. F. No. 1865: A bill for an act relating to motor vehicles; clarifying penalty provisions for certain traffic violations; clarifying provisions which prohibit the operation of a motor vehicle while a driver's license is revoked or suspended; amending Minnesota Statutes 1978, Sections 169.141, Subdivision 2; 169.89, Subdivision 1; 171.20, Subdivision 2; and 171.24.

Reports the same back with the recommendation that the bill be amended as follows:

Page 2, line 25, after "*misdemeanor*" insert "*or misdemeanor*"

Page 3, after line 18, insert:

"Sec. 5. [EFFECTIVE DATE.] *This act is effective the day following final enactment.*"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Davies from the Committee on Judiciary, to which was referred

S. F. No. 2036: A bill for an act relating to courts; providing that courts may acquire electronic data processing services through supreme court contracts; amending Minnesota Statutes 1978, Chapter 480, by adding a section.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 19, after the period insert *"The state court administrator shall grant this authority only pursuant to the implementation of justice information systems compatible with systems participating in the Minnesota criminal justice information systems communications network administered by the department of public safety."*

And when so amended the bill do pass and be placed on the Consent Calendar. Amendments adopted. Report adopted.

Mr. Davies from the Committee on Judiciary, to which was referred

S. F. No. 1931: A bill for an act relating to children; providing for venue for child custody proceedings; amending Minnesota Statutes, 1979 Supplement, Section 518.156, Subdivision 1.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 19, after "petition" insert *"or motion"*

Page 2, line 2, after "petition" insert *"or motion"*

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Davies from the Committee on Judiciary, to which was referred

S. F. No. 1867: A bill for an act relating to occupations and professions; allowing legal education courses to substitute for real estate education courses under certain circumstances; amending Minnesota Statutes 1978, Section 82.22, Subdivision 13.

Reports the same back with the recommendation that the bill be amended as follows:

Page 2, delete line 12

Page 2, line 13, delete *"shall allow"*

Page 2, line 15, delete *"to"* and insert *"may"*

Page 2, after line 18, insert:

"Sec. 2. This act applies to all hours of continuing legal education earned from and after July 1, 1978."

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Davies from the Committee on Judiciary, to which was referred

S. F. No. 1826: A bill for an act relating to probate; changing certain time limits and procedures for a personal representative to file an inventory and appraisement; amending Minnesota Statutes, 1979 Supplement, Section 524.3-706.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, lines 17 to 19, reinstate the stricken language

Page 2, lines 2 to 7, delete the new language

Amend the title as follows:

Page 1, line 3, delete "and procedures"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Davies from the Committee on Judiciary, to which was re-referred

S. F. No. 992: A bill for an act relating to intoxicating liquor; requiring proof of financial responsibility; amending Minnesota Statutes 1978, Sections 340.11, by adding a subdivision; 340.12; and 340.353, by adding a subdivision.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 13, delete "1980" and insert "1981"

Page 6, lines 30 and 33, delete "1980" and insert "1981"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Hughes from the Committee on Education, to which was re-referred

H. F. No. 870: A bill for an act relating to education; requiring that certain schools provide a prospective student with a school catalog before accepting the student; providing in certain cases for tuition refunds from private business, trade, and correspondence schools that do not use written contracts; providing for certain exemptions under the private business, trade and correspondence school act; amending Minnesota Statutes 1978, Sections 141.25, Subdivision 9; 141.271, Subdivision 3, and by adding a subdivision; and 141.35.

Reports the same back with the recommendation that the bill be amended as follows:

Page 4, line 25, delete "*even if*" and insert "*regardless of whether*"

Page 5, line 9, after "*agency*" insert "*known to the school to be*"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Tennessen from the Committee on Commerce, to which was referred

S. F. No. 1832: A bill for an act relating to public utilities and

telephone companies; regulating delinquency charges on customer or subscriber accounts.

Reports the same back with the recommendation that the bill be amended as follows:

Page 2, line 1, delete "be"

Page 2, delete lines 2 and 3

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Hughes from the Committee on Education, to which was referred

S. F. No. 1031: A bill for an act relating to education; providing for a center for the older adult learner and for an advisory council on the older adult learner; appropriating money; amending Minnesota Statutes 1978, Section 256.975, Subdivision 2; and Chapter 121, by adding sections.

Reports the same back with the recommendation that the bill be amended as follows:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1978, Chapter 121, is amended by adding a section to read:

[121.881] [CENTER FOR OLDER ADULT LEARNERS.] Subdivision 1. [DEFINITION.] "*Older adult learner*" means a learner age 55 or over.

Subd. 2. [CREATION; OFFICES; PURPOSES.] *There is hereby created a center for older adult learners. It shall be associated with an educational institution. The center shall provide technical assistance, resource materials, counseling services, training, and research on the educational needs and opportunities of older adult learners at all educational institutions in this state.*

Subd. 3. [ADMINISTRATION.] *The center shall be governed by the Minnesota board on aging pursuant to section 256.975, subdivision 2, clause (h).*

Subd. 4. [STAFF, EXPENSES.] *The board on aging may make contracts and award grants in aid to accomplish the purposes of this section. No more than five percent of the annual amount appropriated for the center may be used for administrative costs.*

Sec. 2. Minnesota Statutes 1978, Chapter 121, is amended by adding a section to read:

[121.882] [ADVISORY COUNCIL ON THE OLDER ADULT LEARNER.] Subdivision 1. "*Older adult learner*" means a learner age 55 or over.

Subd. 2. *There is hereby created an advisory council on the older adult learner. The advisory council shall consist of the following members or their designees: the executive secretary of the*

Minnesota board on aging; the president of the University of Minnesota; the chancellor of the state university system; the chancellor of the community college system; the executive director of the Minnesota private college council; the commissioner of education; the executive director of the higher education coordinating board; and two older adult learners appointed by the Minnesota board on aging.

Subd. 3. The terms, compensation, removal of members and filling of vacancies on the council shall be as provided in section 15.059.

Subd. 4. The advisory council shall advise the Minnesota board on aging on the following: (a) the status and operation of the center for the older adult learner, (b) the educational needs of older citizens, (c) the educational needs of all citizens regarding the aging process, and (d) the availability of educational services for older citizens. The board on aging shall make an annual report to the legislature and the governor on the activities of the advisory council and the center for the older adult learner. It shall submit copies of the report to the higher education coordinating board and the department of education.

Subd. 5. The staff of the center for the older adult learner shall assist the advisory council in the performance of its duties and the issuing of its report.

Sec. 3. Minnesota Statutes 1978, Section 256.975, Subdivision 2, is amended to read:

Subd. 2. [DUTIES.] The board shall carry out the following duties:

(a) to advise the governor and heads of state departments and agencies regarding policy, programs, and services affecting the aging;

(b) to provide a mechanism for coordinating plans and activities of state departments and citizens' groups as they pertain to aging;

(c) to create public awareness of the special needs and potentialities of older persons;

(d) to gather and disseminate information about research and action programs, and to encourage state departments and other agencies to conduct needed research in the field of aging;

(e) to stimulate, guide, and provide technical assistance in the organization of local councils on aging;

(f) to provide continuous review of ongoing services, programs and proposed legislation affecting the elderly in Minnesota; and

(g) to administer and to make policy relating to all aspects of the Older Americans Act of 1965, as amended, including implementation thereof; and

(h) to govern the center for older adult learners established pursuant to section 1.

Sec. 4. [APPROPRIATION.] *The sum of \$100,000 is appropriated from the general fund to the Minnesota board on aging for the purposes of sections 1 to 3 and shall be available until June 30, 1981.*"

And when so amended the bill do pass and be re-referred to the Committee on Finance. Mr. Nelson questioned the reference thereon and, under Rule 35, the bill was referred to the Committee on Rules and Administration.

Mr. Hughes from the Committee on Education, to which was referred

S. F. No. 1904: A bill for an act relating to Independent School District No. 535, Rochester; providing that its school board may organize at a time other than the time required for the organization of the board of an independent district; amending Laws 1969, Chapter 193, Section 3, as amended.

Reports the same back with the recommendation that the bill do pass and be placed on the Consent Calendar. Report adopted.

Mr. Davies from the Committee on Judiciary, to which was referred

S. F. No. 1795: A bill for an act relating to children; authorizing a multi-purpose declaration of parentage; amending Minnesota Statutes 1978, Chapter 257, by adding a section.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 14, delete "borne by" and insert "born to"

Page 1, line 14, after "mother" insert "within ten months"

Page 2, delete lines 16 to 24

Page 2, line 25, delete everything after "Subd." and insert "2."

Page 2, line 26, after "be" insert "*filed with the division of vital statistics of the department of health and upon filing shall be effective on the date of filing and shall be*"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Davies from the Committee on Judiciary, to which was referred

S. F. No. 1984: A bill for an act relating to attachment, garnishment and executions; exempting certain insurance contracts and rights of action from garnishment or attachment; amending Minnesota Statutes 1978, Section 550.37, by adding subdivisions.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 12, delete the first "or" and insert "of"

Page 1, line 15, delete "and" and insert "in"

Page 1, after line 18, insert:

"Subd. 23. The debtor's right to receive a payment under a stock bonus, pension, profit sharing, annuity, or similar plan or contract on account of illness, disability, death, age, or length of service, to the extent reasonably necessary for the support of the debtor and any dependent of the debtor."

Amend the title as follows:

Page 1, line 3, after "contracts" insert ", employee benefits"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Tennessen from the Committee on Commerce, to which was referred

S. F. No. 2161: A bill for an act relating to financial institutions; authorizing examinations of certain bank holding companies; providing for the institution of cease and desist proceedings and the issuance of temporary orders; amending Minnesota Statutes 1978, Section 46.24; and Minnesota Statutes, 1979 Supplement, Section 46.04.

Reports the same back with the recommendation that the bill be amended as follows:

Page 2, line 27, strike "shall limit" and insert "limits"

Page 3, line 24, strike "such"

Page 3, line 26, strike "such" and insert "any"

Page 3, line 33, delete "shall have" and insert "has"

Page 5, line 11, strike "shall be" and insert "are"

Page 5, lines 29 and 32, strike "shall become" and insert "is"

Page 5, line 33, strike "shall remain" and insert "remains"

Page 6, line 23, delete "shall become" and insert "becomes"

Page 6, line 28, delete "shall remain" and insert "remains"

Page 7, line 14, delete "shall have" and insert "has"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Tennessen from the Committee on Commerce, to which was referred

S. F. No. 2193: A bill for an act relating to commerce; establishing certain time price differentials on retail installment sales of mobile homes; amending Minnesota Statutes 1978, Section 168.72.

Reports the same back with the recommendation that the bill be amended as follows:

Page 2, line 1, strike "such"

Page 2, line 2, strike "Such" and insert "The"

Page 2, lines 13 and 16, strike "shall be" and insert "is"

Page 2, line 23, before "The" insert "(a) Notwithstanding any other law to the contrary"

Page 2, line 26, delete "the following"

Page 2, delete lines 27 to 29

Page 2, line 30, delete everything before "12"

Page 3, delete lines 3 to 13 and insert:

"(b) This subdivision supersedes the provisions of subdivision 3 for purposes of determining the lawful time price differential in a retail installment sale of a mobile home if the sale is made between the effective date of this subdivision and July 31, 1983.

Subd. 3. A sale of a mobile home made after July 31, 1983, is governed by the provisions of subdivision 1 for purposes of determining the lawful time price differential rate. A retail installment sale of a mobile home that imposes a time price differential rate that is greater than the rate permitted by this subdivision is lawful if the rate was lawful when the sale was made."

Page 3, line 15, after the period insert "Section 1, subdivision 2, is repealed July 31, 1983."

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Tennesen from the Committee on Commerce, to which was referred

S. F. No. 1562: A bill for an act relating to usury; changing the penalty for usurious loans made by state banks and savings banks; amending Minnesota Statutes 1978, Sections 334.02; 334.03; and Chapter 48, by adding a section.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 14, after "state" insert "or by a federally chartered savings and loan association, a savings association organized under chapter 51A, a federally chartered credit union, or a credit union organized under chapter 52"

Page 1, line 20, delete "back"

Page 1, line 21, delete everything after the comma and insert "an amount not exceeding five times the amount by which the rate charged exceeds the lawful rate and which is to be paid during the entire period of the obligation,"

Page 1, delete line 22

Page 2, line 1, after the period, insert "If the loan or forbearance

is for an indeterminate period, the damages recoverable under this section shall be an amount not exceeding five times the excess rate for a presumed period of one year or five times the excess interest paid or incurred, whichever is greater."

Page 2, line 14, after "state" insert "*or by a federally chartered savings and loan association, a savings association organized under chapter 51A, a federally chartered credit union, or a credit union organized under chapter 52*"

Page 2, line 15, delete "or" and insert a comma

Page 2, line 15, before "is" insert "*, federal savings association, a state savings association, a federal or state credit union*"

Page 3, line 15, after "state" insert "*or by a federally chartered savings and loan association, a savings association organized under chapter 51A, a federally chartered credit union, or a credit union organized under chapter 52*"

Page 3, line 15, delete "or" and insert a comma

Page 3, line 16, before "is" insert "*, federal savings association, a state savings association. a federal or state credit union*"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Davies from the Committee on Judiciary, to which was referred

S. F. No. 1801: A bill for an act relating to the family; changing certain procedures and criteria for termination of parental rights; amending Minnesota Statutes 1978, Sections 260.221; 260.241, Subdivisions 1 and 2; and Chapter 260, by adding a section.

Reports the same back with the recommendation that the bill be amended as follows:

Page 2, line 16, after "has" insert "*continuously*"

Page 3, line 32, after "that" insert "*a parent whose parental rights are terminated shall remain liable for the unpaid balance of*"

Page 3, line 32, delete "*existing*" and insert "*owed under a court order upon*"

Page 3, line 33, delete "*prior to*"

Page 4, line 1, delete "*shall not be severed or terminated*"

Page 5, line 3, delete "*, or of the*"

Page 5, line 4, delete "*mother if the child is illegitimate,*"

Page 5, line 4, after "*only*" insert "*known*"

Page 5, line 5, after "*order*" insert "*the*" and after "*and*" insert "*the*"

Page 5, line 9, delete everything after "(c)" and insert "An individual who is willing and capable of assuming the appropriate duties and responsibilities to the child."

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Coleman from the Committee on Rules and Administration, to which were referred H. F. Nos. 1488 and 2110 for comparison with companion Senate Files, reports the following House Files were found identical and recommends the House Files be given their second reading and substituted for their companion Senate Files as follows:

GENERAL ORDERS		CONSENT CALENDAR		CALENDAR	
H. F. No.	S. F. No.	H. F. No.	S. F. No.	H. F. No.	S. F. No.
				1488	1449
				2110	1812

and that the above Senate Files be indefinitely postponed.

Pursuant to Rule 49, this report was prepared and submitted by the Secretary of the Senate on behalf of the Committee on Rules and Administration. Report adopted.

Mr. Coleman from the Committee on Rules and Administration, to which was referred H. F. No. 1623 for comparison with companion Senate File, reports the following House File was found not identical with its companion Senate File as follows:

GENERAL ORDERS		CONSENT CALENDAR		CALENDAR	
H. F. No.	S. F. No.	H. F. No.	S. F. No.	H. F. No.	S. F. No.
1623	1588				

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H. F. No. 1623 be amended as follows:

Page 3, line 25, delete "are" and insert "shall be"

Page 3, line 26, delete ". This" and insert ", which"

Page 3, line 29, delete "a year" and insert "per annum"

Page 4, line 30, delete "is" and insert "shall be"

Page 5, line 11, delete "is" and insert "shall be"

And when so amended H. F. No. 1623 will be identical to S. F. No. 1588, and further recommends that H. F. No. 1623 be given its second reading and substituted for S. F. No. 1588, and that the Senate File be indefinitely postponed.

Pursuant to Rule 49, this report was prepared and submitted by the Secretary of the Senate on behalf of the Committee on Rules and Administration. Amendments adopted. Report adopted.

Mr. Coleman from the Committee on Rules and Administration, to which was referred H. F. No. 1427 for comparison with companion Senate File, reports the following House File was found

identical and recommends the House File be given its second reading and substituted for its companion Senate File as follows:

GENERAL ORDERS CONSENT CALENDAR CALENDAR

H. F. No.	S. F. No.	H. F. No.	S. F. No.	H. F. No.	S. F. No.
1427	1536				

and that the above Senate File be indefinitely postponed.

Pursuant to Rule 49, this report was prepared and submitted by the Secretary of the Senate on behalf of the Committee on Rules and Administration. Report adopted.

Mr. Coleman from the Committee on Rules and Administration, to which was referred

H. F. No. 1601 for comparison with companion Senate File, reports the following House File was found not identical with companion Senate File as follows:

GENERAL ORDERS CONSENT CALENDAR CALENDAR

H. F. No.	S. F. No.	H. F. No.	S. F. No.	H. F. No.	S. F. No.
1601	1579				

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H. F. No. 1601 be amended as follows:

Page 1, line 15, delete "*for the purpose of attending*" and insert "*to attend*"

Page 1, line 16, delete "*party officers*" and insert "*state central committee or executive committee*"

Page 1, lines 16 and 17, delete "*at the congressional district, state, county or federal level,*"

Page 1, line 18, delete "*an officer of that party at that level*" and insert "*a member of the committee*"

Page 1, line 19, delete "*state or national*"

Page 1, line 20, after "*delegates*" insert "*including meetings of official convention committees*"

Amend the title as follows:

Page 1, lines 2 and 3, delete "*party officers and delegates and alternate*" and insert "*members of political party committees and*"

And when so amended H. F. No. 1601 will be identical to S. F. No. 1579, and further recommends that H. F. No. 1601 be given its second reading and substituted for S. F. No. 1579, and that the Senate File be indefinitely postponed.

Pursuant to Rule 49, this report was prepared and submitted by the Secretary of the Senate on behalf of the Committee on Rules and Administration. Amendments adopted. Report adopted.

Mr. Coleman from the Subcommittee on Bill Scheduling, to which were referred S. F. Nos. 1993, 1028, 1914, 1950, 2101, 1877, 1695, 1332, 1698, 1964, 2245, 2234, 2195, 2156, 2190, 1794, 802, 1636, 1601, 1430, 2166, 1654, 2083, 2071, 1803, 2146, 336, 2059 and 2119 and H. F. No. 924 makes the following report:

That the above Senate Files and House File be placed on the General Orders Calendar in the order indicated.

That there were no other bills before the Subcommittee on which floor action was requested. Report adopted.

APPOINTMENTS

Mr. Coleman from the Subcommittee on Committees recommends that the following Senators be and they hereby are appointed as a Conference Committee on:

S. F. No. 1584: Messrs. Willet, Johnson and Rued.

Mr. Coleman moved that the foregoing appointments be approved. The motion prevailed.

SECOND READING OF SENATE BILLS

S. F. Nos. 1815, 1836, 2036 and 1904 were read the second time.

S. F. Nos. 1962, 2099, 1690, 2066, 210, 870, 2044, 2192, 1549, 1677, 2264, 1870, 2288, 2153, 2265, 2280, 2042, 2318, 2283, 1207, 1861, 2220, 1909, 2137, 1865, 1931, 1867, 1826, 992, 1832, 1795, 1984, 2161, 2193, 1562 and 1801 were read the second time and referred to the Subcommittee on Bill Scheduling of the Committee on Rules and Administration.

SECOND READING OF HOUSE BILLS

H. F. Nos. 1488, 2110, 1623, 1427 and 1601 were read the second time.

H. F. No. 870 was read the second time and referred to the Subcommittee on Bill Scheduling of the Committee on Rules and Administration.

MOTIONS AND RESOLUTIONS

Mr. Sikorski moved that the name of Mr. Hughes be added as co-author to S. F. No. 1433. The motion prevailed.

Mr. Schaaf moved that the name of Mr. Penny be added as co-author to S. F. No. 1608. The motion prevailed.

Mr. Spear moved that the name of Mr. Sikorski be added as co-author to S. F. No. 1658. The motion prevailed.

Mr. Spear moved that the name of Mr. Merriam be added as co-author to S. F. No. 1661. The motion prevailed.

Mr. Penny moved that his name be added as co-author to S. F. No. 2142. The motion prevailed.

Mr. Hanson moved that the name of Mr. Ulland, J. be added as co-author to S. F. No. 2352. The motion prevailed.

Mr. Coleman moved that H. F. No. 1904 be withdrawn from the Subcommittee on Bill Scheduling and re-referred to the Committee on Taxes and Tax Laws. The motion prevailed.

S. F. No. 273 and the Conference Committee Report thereon were reported to the Senate.

CONFERENCE COMMITTEE REPORT ON S. F. NO. 273

A bill for an act relating to commerce; providing a floating usury rate for contracts for deed on residential property; amending Minnesota Statutes 1978, Section 47.20, Subdivisions 2 and 4, and by adding a subdivision.

March 10, 1980

The Honorable Edward J. Gearty
President of the Senate

The Honorable Fred C. Norton
Speaker of the House of Representatives

We, the undersigned conferees for S. F. No. 273, report that we have agreed upon the items in dispute and recommend as follows:

That the House recede from its amendments and that S. F. No. 273 be further amended as follows:

Delete everything after the enacting clause and insert:

“Section 1. Minnesota Statutes, 1979 Supplement, Section 47.20, Subdivision 2, is amended to read:

Subd. 2. For the purposes of this section the terms defined in this subdivision have the meanings given them:

(1) “Actual closing costs” mean reasonable charges for or sums paid for the following, whether or not retained by the mortgagee or lender:

(a) Any insurance premiums including but not limited to premiums for title insurance, fire and extended coverage insurance, flood insurance, and private mortgage insurance, but excluding any charges or sums retained by the mortgagee or lender as self-insured retention.

(b) Abstracting, title examination and search, and examination of public records.

(c) The preparation and recording of any or all documents required by law or custom for closing a conventional loan.

(d) Appraisal and survey of real property securing a conventional loan.

(e) A single service charge, which ~~shall include~~ *includes* any consideration, not otherwise specified herein as an "actual closing cost" paid by the borrower and received and retained by the lender for or related to the acquisition, making, refinancing or modification of a conventional loan, and ~~shall also include~~ *includes* any consideration received by the lender for making a borrower's interest rate commitment or for making a borrower's loan commitment, whether or not an actual loan follows ~~such~~ *the* commitment. The term service charge ~~shall does~~ not include forward commitment fees. The service charge shall not exceed one percent of the original bona fide principal amount of the conventional loan, except that in the case of a construction loan, the service charge shall not exceed two percent of the original bona fide principal amount of the loan. That portion of the service charge imposed because the loan is a construction loan shall be itemized and a copy of the itemization furnished the borrower. A lender shall not collect from a borrower the additional one percent service charge permitted for a construction loan if it does not perform the service for which the charge is imposed or if third parties perform and charge the borrower for the service for which the lender has imposed the charge.

(f) Charges and fees necessary for or related to the transfer of real property securing a conventional loan or the closing of a conventional loan paid by the borrower and received by any party other than the lender.

(2) *"Contract for deed" means an executory contract for the conveyance of real estate, the original principal amount of which is less than \$100,000. A commitment for a contract for deed shall include an executed purchase agreement or earnest money contract wherein the seller agrees to finance any part or all of the purchase price by a contract for deed.*

~~(2)~~ (3) "Conventional loan" means a loan or advance of credit, other than a loan or advance of credit made by a credit union or made pursuant to section 334.011, to a noncorporate borrower in an original principal amount of less than \$100,000, secured by a mortgage upon real property containing one or more residential units or upon which at the time the loan is made it is intended that one or more residential units are to be constructed, and which is not insured or guaranteed by the secretary of housing and urban development, by the administrator of veterans affairs, or by the administrator of the farmers home administration. The term mortgage ~~shall does~~ not include contracts for deed or installment land contracts.

~~(3)~~ (4) "Forward commitment fee" means a fee or other consideration paid to a lender for the purpose of securing a binding forward commitment by or through the lender to make conventional loans to two or more credit worthy purchasers, including future purchasers, of residential units, or a fee or other consideration paid to a lender for the purpose of securing a binding forward commitment by or through the lender to make conventional loans to two or more credit worthy purchasers, including future purchasers, of apartments as defined in section 515.02 to be created

out of existing structures pursuant to the Minnesota condominium act, provided that the forward commitment rate of interest does not exceed the maximum lawful rate of interest effective as of the date the forward commitment is issued by the lender.

(4) (5) "Borrower's interest rate commitment" means a binding commitment made by a lender to a borrower wherein the lender agrees that, if a conventional loan is made following issuance of and pursuant to the commitment, the conventional loan shall be made at a rate of interest not in excess of the rate of interest agreed to in the commitment, provided that the rate of interest agreed to in the commitment is not in excess of the maximum lawful rate of interest effective as of the date the commitment is issued by the lender to the borrower.

(5) (6) "Borrower's loan commitment" means a binding commitment made by a lender to a borrower wherein the lender agrees to make a conventional loan pursuant to the provisions, including the interest rate, of the commitment, provided that the commitment rate of interest does not exceed the maximum lawful rate of interest effective as of the date the commitment is issued and the commitment when issued and agreed to shall constitute a legally binding obligation on the part of the mortgagee or lender to make a conventional loan within a specified time period in the future at a rate of interest not exceeding the maximum lawful rate of interest effective as of the date the commitment is issued by the lender to the borrower; provided that a lender who issues a borrower's loan commitment pursuant to the provisions of a forward commitment is authorized to issue such the borrower's loan commitment at a rate of interest not to exceed the maximum lawful rate of interest effective as of the date the forward commitment is issued by the lender.

(6) (7) "Finance charge" means the total cost of a conventional loan including extensions or grant of credit regardless of the characterization of the same and includes interest, finders fees, and other charges levied by a lender directly or indirectly against the person obtaining the conventional loan or against a seller of real property securing a conventional loan, or any other party to the transaction except any actual closing costs and any forward commitment fee. The finance charges plus the actual closing costs and any forward commitment fee, charged by a lender shall include all charges made by a lender other than the principal of the conventional loan.

(7) (8) "Lender" means any person making a conventional loan, or any person arranging financing for a conventional loan. The term shall also include includes the holder or assignee at any time of a conventional loan.

(8) (9) "Loan yield" means the annual rate of return obtained by a lender over the term of a conventional loan and shall be computed as the annual percentage rate as computed in accordance with sections 226.5 (b), (c) and (d) of Regulation Z, 12 C.F.R. section 226, but using the definition of finance charge provided for in this subdivision.

~~(9)~~ (10) "Monthly index of long term United States government bond yields" means the monthly unweighted average of the daily unweighted average of the closing bid yield quotations in the over the counter market for all outstanding United States treasury bond issues, based on available statistics, which are either maturing or callable in ten years or more. This index is expressed in terms of percentage interest per annum.

~~(10)~~ (11) "Monthly index of the federal national mortgage association auction yields" means the gross weighted average yield of accepted offers in the second free market system conventional home mortgage auction held by the federal national mortgage association in a month.

~~(11)~~ (12) "Person" means an individual, corporation, business trust, partnership or association or any other legal entity.

~~(12)~~ (13) "Residential unit" means any structure used principally for residential purposes or any portion thereof, and ~~shall include~~ includes a unit in a townhouse or planned unit development, a condominium apartment, a non-owner occupied residence, and any other type of residence regardless of whether such unit is used as a principal residence, secondary residence, vacation residence or residence of some other denomination.

(14) "*Vendor*" means any person or persons who agree to sell real estate and finance any part or all of the purchase price by a contract for deed. The term also includes the holder or assignee at any time of the vendor's interest in a contract for deed.

Sec. 2. Minnesota Statutes, 1979 Supplement, Section 47.20, Subdivision 3, is amended to read:

Subd. 3. Notwithstanding the provisions of section 334.01, lenders are authorized to make conventional loans and purchases of obligations representing conventional loans pursuant to such rules as the commissioner of banks finds to be necessary and proper, if any, at an interest rate not in excess of the maximum lawful interest rate prescribed in subdivision 4 or 4a. *Contract for deed vendors are authorized to charge interest on contracts for deed at an interest rate not in excess of the maximum lawful interest rate prescribed in subdivision 4 or 4a.*

Sec. 3. Minnesota Statutes, 1979 Supplement, Section 47.20, Subdivision 4, is amended to read:

Subd. 4. No conventional loan or contract for deed shall be made at a rate of interest or loan yield in excess of a maximum lawful interest rate which ~~shall be~~ is based upon the monthly index of long term United States government bond yields as compiled by the United States treasury department and published by the department in the monthly treasury bulletin. The maximum lawful interest rate shall be computed as follows:

(1) The maximum lawful rate of interest for a conventional loan or contract for deed made or contracted for during any calendar month ~~shall be~~ is equal to the monthly index of long term United States government bond yields for the second preceding calendar

month plus an additional two percent per annum rounded off to the nearest quarter of one percent per annum or rounded off to the highest quarter of one percent per annum if equidistant.

(2) On or before the 20th day of each month the commissioner of banking shall determine, based on available statistics, the monthly index of long term United States government bond yields for the preceding calendar month and shall determine the maximum lawful rate of interest for conventional loans *or contracts for deed* for the next succeeding month, as defined in clause (1) and shall cause the maximum lawful rate of interest to be published in a legal newspaper in Ramsey County on or before the 20th day of each month and in the state register on or before the last day of each month; the maximum lawful rate of interest to be effective on the first day of the next succeeding month.

(3) A contract rate within the maximum lawful interest rate applicable to a conventional loan *or contract for deed* at the time the loan is made shall be the maximum lawful interest rate for the term of the conventional loan *or contract for deed*.

(4) *Contracts for deed executed pursuant to a commitment for a contract for deed, or conventional loans made pursuant to a borrower's interest rate commitment, or made pursuant to a borrower's loan commitment, or made pursuant to a commitment for conventional loans made upon payment of a forward commitment fee including a borrower's loan commitment issued pursuant to a forward commitment, which commitment provides for consummation within some future time following the issuance of the commitment may be consummated pursuant to the provisions, including the interest rate, of the commitment notwithstanding the fact that the maximum lawful rate of interest at the time the contract for deed or conventional loan is actually executed or made is less than the commitment rate of interest, provided the commitment rate of interest does not exceed the maximum lawful interest rate in effect on the date the commitment was issued. The refinancing of (a) an existing conventional loan, (b) a loan insured or guaranteed by the secretary of housing and urban development, the administrator of veterans affairs, or the administrator of the farmers home administration, or (c) a contract for deed by making a conventional loan shall be is deemed to be a new conventional loan for purposes of determining the maximum lawful rate of interest under this subdivision. A borrower's interest rate commitment or a borrower's loan commitment shall be is deemed to be issued on the date the commitment is hand delivered by the lender to, or mailed to the borrower. A forward commitment shall be is deemed to be issued on the date the forward commitment is hand delivered by the lender to, or mailed to the person paying the forward commitment fee to the lender, or to any one of them if there should be more than one. A commitment for a contract for deed is deemed to be issued on the date the commitment is initially executed by the contract for deed vendor or his authorized agent.*

(5) *A contract for deed executed pursuant to a commitment for a contract for deed, or a loan made pursuant to a borrower's*

interest rate commitment, or made pursuant to a borrower's loan commitment, or made pursuant to a forward commitment for conventional loans made upon payment of a forward commitment fee including a borrower's loan commitment issued pursuant to a forward commitment, issued on or before July 31, 1983 at a rate of interest not in excess of the rate of interest authorized by this subdivision at the time the commitment was made ~~shall continue~~ *continues* to be enforceable in accordance with its terms until the indebtedness is fully satisfied.

(6) This subdivision expires July 31, 1983.

Sec. 4. Minnesota Statutes, 1979 Supplement, Section 47.20, Subdivision 4a, is amended to read:

Subd. 4a. No conventional loan *or contract for deed* shall be made at a rate of interest or loan yield in excess of a maximum lawful interest rate which shall be based upon the monthly index of the federal national mortgage association auction yields as compiled by the federal national mortgage association. The maximum lawful interest rate shall be computed as follows:

(1) The maximum lawful rate of interest for a conventional loan *or contract for deed* made or contracted for during any calendar month shall be *is* equal to the monthly index of the federal national mortgage association auction yields for the first preceding calendar month rounded off to the next highest quarter of one percent per annum.

(2) On or before the last day of each month the commissioner of banking shall determine, based on available statistics, the monthly index of the federal national mortgage association auction yields for that calendar month and shall determine the maximum lawful rate of interest for conventional loans *or contracts for deed* for the next succeeding month, as defined in clause (1) and shall cause the maximum lawful rate of interest to be published in a legal newspaper in Ramsey County on or before the first day of each month or as soon thereafter as practicable and in the state register on or before the last day of each month; the maximum lawful rate of interest to be effective on the first day of that month. If a federal national mortgage association free market system conventional home mortgage auction is not held in any month, the maximum lawful rate of interest determined by the commissioner of banks pursuant to the last auction shall be *is* the maximum lawful rate of interest through the last day of the month in which the next auction is held.

(3) A contract rate within the maximum lawful interest rate applicable to a conventional loan *or contract for deed* at the time the loan is made shall be *is* the maximum lawful interest rate for the term of the conventional loan *or contract for deed*.

(4) *Contracts for deed* executed pursuant to a commitment for a *contract for deed*, or conventional loans made pursuant to a borrower's interest rate commitment or made pursuant to a borrower's loan commitment, or made pursuant to a commitment for

conventional loans made upon payment of a forward commitment fee including a borrower's loan commitment issued pursuant to a forward commitment, which commitment provides for consummation within some future time following the issuance of the commitment may be consummated pursuant to the provisions, including the interest rate, of the commitment notwithstanding the fact that the maximum lawful rate of interest at the time the *contract for deed* or conventional loan is actually executed or made is less than the commitment rate of interest, provided the commitment rate of interest does not exceed the maximum lawful interest rate in effect on the date the commitment was issued. The refinancing of (a) an existing conventional loan, (b) a loan insured or guaranteed by the secretary of housing and urban development, the administrator of veterans affairs, or the administrator of the farmers home administration, or (c) a contract for deed by making a conventional loan shall be is deemed to be a new conventional loan for purposes of determining the maximum lawful rate of interest under this subdivision. A borrower's interest rate commitment or a borrower's loan commitment shall be is deemed to be issued on the date the commitment is hand delivered by the lender to, or mailed to the borrower. A forward commitment shall be is deemed to be issued on the date the forward commitment is hand delivered by the lender to, or mailed to the person paying the forward commitment fee to the lender, or to any one of them if there should be more than one. A commitment for a contract for deed is deemed to be issued on the date the commitment is initially executed by the contract for deed vendor or his authorized agent.

(5) A contract for deed executed pursuant to a commitment for a contract for deed, or a loan made pursuant to a borrower's interest rate commitment, or made pursuant to a borrower's loan commitment, or made pursuant to a forward commitment for conventional loans made upon payment of a forward commitment fee including a borrower's loan commitment issued pursuant to a forward commitment, issued on or before November 30, 1982, at a rate of interest not in excess of the rate of interest authorized by this subdivision at the time the commitment was made shall continue continues to be enforceable in accordance with its terms until the indebtedness is fully satisfied.

(6) This subdivision supersedes subdivision 4 from May 31, 1979 until November 30, 1982.

(7) This subdivision expires November 30, 1982.

Sec. 5. Minnesota Statutes 1978, Section 47.20, is amended by adding a subdivision to read:

Subd. 13a. Any contract for deed having an interest rate in excess of the maximum lawful interest rate provided for in subdivision 4 or 4a as applicable is usurious. No contract for deed is unenforceable solely because the interest rate thereon is usurious. Persons who have paid usurious interest may recover an amount not to exceed five times the usurious portion of the interest paid under the contract for deed plus attorneys' fees from the person to

whom the interest has been paid. The penalty provisions of chapter 334, do not apply to usurious contracts for deed.

Sec. 6. Minnesota Statutes 1978, Section 559.21, is amended to read:

559.21 [TERMINATION OF CONTRACT OF SALE; NOTICE, SERVICE AND RETURN, COSTS, REINSTATEMENT.] *Subdivision 1.* When default is made in the conditions of any contract for the conveyance of real estate or any interest therein *executed prior to May 1, 1980*, whereby the vendor has a right to terminate the same, he may do so by serving upon the purchaser, his personal representatives or assigns, either within or without the state, a notice specifying the conditions in which default has been made, and stating that *such the* contract will terminate (1) 30 days after the service of *such the* notice if the purchaser has paid less than 30 percent of the purchase price, exclusive of interest thereon, and any mortgages or prior contracts for deed which are assumed by the purchaser, (2) 45 days after service of *such the* notice if the purchaser has paid 30 percent, or more, but less than 50 percent of the purchase price, exclusive of interest thereon, and any mortgages or prior contracts for deed which are assumed by the purchaser, (3) 60 days after service of *such the* notice if the *vendee purchaser* has paid 50 percent, or more, of the purchase price, exclusive of interest thereon, and any mortgages or prior contracts for deed which are assumed by the purchaser, unless prior thereto the purchaser *shall comply* with *such the* conditions and *pay* *pays* the costs of service, the mortgage registration tax, if actually paid by the vendor, together with an amount to apply on attorneys' fees actually expended or incurred, of \$75 when the amount in default is less than \$750, and of \$200 when the amount in default is \$750 or more; provided, however, that no amount *shall be* *is* required to be paid for attorneys' fees as provided hereunder, unless some part of the conditions of default *shall have* *has* existed at least 45 days prior to the date of service of *said the* notice.

Subd. 2. When default is made in the conditions of any contract for the conveyance of real estate or any interest therein *executed on or after May 1, 1980*, whereby the vendor has a right to terminate the same, he may do so by serving upon the purchaser, his personal representatives or assigns, either within or without the state, a notice specifying the conditions in which default has been made, and stating that the contract will terminate (1) 30 days after the service of the notice if the purchaser has paid less than 10 percent of the purchase price, exclusive of interest thereon, and any mortgages or prior contracts for deed which are assumed by the purchaser, (2) 60 days after service of the notice if the purchaser has paid 10 percent, or more, but less than 25 percent of the purchase price, exclusive of interest thereon, and any mortgages or prior contracts for deed which are assumed by the purchaser, (3) 90 days after service of the notice if the purchaser has paid 25 percent, or more, of the purchase price, exclusive of interest thereon, and any mortgages or prior contracts for deed which are assumed by the purchaser, unless prior thereto the purchaser com-

plies with the conditions and makes all payments due and owing to the vendor under the contract through the date payment is made and pays the costs of service, the mortgage registration tax, if actually paid by the vendor, together with an amount to apply on attorneys' fees actually expended or incurred, of \$125 when the amount in default is less than \$750, and of \$250 when the amount in default is \$750 or more; provided, however, that no amount is required to be paid for attorneys' fees as provided hereunder, unless some part of the conditions of default has existed at least 45 days prior to the date of service of the notice.

Subd. 3. [DEFINITION OF NOTICE.] For purposes of this section, the term "notice" means a writing stating the information required in this section, stating the name, address and telephone number of the vendor or of an attorney authorized by the vendor to accept payments pursuant to the notice and the fact that the person named is authorized to receive the payments, and including the following information in 12 point or larger bold type or in large legible handwritten letters:

(a) For contracts executed prior to May 1, 1980:

THIS NOTICE IS TO INFORM YOU THAT BY THIS NOTICE THE SELLER HAS BEGUN PROCEEDINGS UNDER MINNESOTA STATUTES, SECTION 559.21, TO TERMINATE YOUR CONTRACT FOR DEED FOR THE REASONS SPECIFIED IN THIS NOTICE. THE CONTRACT WILL TERMINATE DAYS AFTER [SERVICE OF THIS NOTICE UPON YOU] [THE FIRST DATE OF PUBLICATION OF THIS NOTICE] UNLESS BEFORE THEN THE PERSON AUTHORIZED IN THIS NOTICE TO RECEIVE PAYMENTS RECEIVES FROM YOU THE AMOUNT THIS NOTICE SAYS YOU OWE PLUS THE COSTS OF SERVICE OF THIS NOTICE TOGETHER WITH THE MORTGAGE REGISTRATION TAX OF \$ AND \$ TO APPLY TO ATTORNEYS' FEES ACTUALLY EXPENDED OR INCURRED; OR UNLESS BEFORE THEN YOU SECURE FROM A COUNTY OR DISTRICT COURT AN ORDER THAT THE TERMINATION OF THE CONTRACT BE SUSPENDED UNTIL YOUR CLAIMS OR DEFENSES ARE FINALLY DISPOSED OF BY TRIAL, HEARING OR SETTLEMENT. YOUR ACTION MUST SPECIFICALLY STATE THOSE FACTS AND GROUNDS THAT DEMONSTRATE YOUR CLAIMS OR DEFENSES. IF YOU DO NOT DO ONE OR THE OTHER OF THE ABOVE THINGS WITHIN THE TIME PERIOD SPECIFIED IN THIS NOTICE, YOUR CONTRACT WILL TERMINATE AT THE END OF THE PERIOD AND YOU WILL LOSE ALL THE MONEY YOU HAVE PAID ON THE CONTRACT; YOU WILL LOSE YOUR RIGHT TO POSSESSION OF THE PROPERTY; YOU MAY LOSE YOUR RIGHT TO ASSERT ANY CLAIMS OR DEFENSES THAT YOU MIGHT HAVE; AND YOU WILL BE EVICTED. IF YOU HAVE ANY QUESTIONS ABOUT THIS NOTICE, CONTACT AN ATTORNEY IMMEDIATELY.

(b) For contracts executed on or after May 1, 1980:

THIS NOTICE IS TO INFORM YOU THAT BY THIS NOTICE THE SELLER HAS BEGUN PROCEEDINGS UNDER MINNESOTA STATUTES, SECTION 559.21, TO TERMINATE YOUR CONTRACT FOR DEED FOR THE REASONS SPECIFIED IN THIS NOTICE. THE CONTRACT WILL TERMINATE DAYS AFTER [SERVICE OF THIS NOTICE UPON YOU] [THE FIRST DATE OF PUBLICATION OF THIS NOTICE] UNLESS BEFORE THEN THE PERSON AUTHORIZED IN THIS NOTICE TO RECEIVE PAYMENTS RECEIVES FROM YOU THE AMOUNT THIS NOTICE SAYS YOU OWE PLUS ANY ADDITIONAL PAYMENTS DUE UNDER THE CONTRACT TO THE SELLER SINCE THE NOTICE WAS SERVED PLUS THE COSTS OF SERVICE OF THIS NOTICE TOGETHER WITH THE MORTGAGE REGISTRATION TAX OF \$. . . . AND \$. . . . TO APPLY TO ATTORNEYS' FEES ACTUALLY EXPENDED OR INCURRED; OR UNLESS BEFORE THEN YOU SECURE FROM A COUNTY OR DISTRICT COURT AN ORDER THAT THE TERMINATION OF THE CONTRACT BE SUSPENDED UNTIL YOUR CLAIMS OR DEFENSES ARE FINALLY DISPOSED OF BY TRIAL, HEARING OR SETTLEMENT. YOUR ACTION MUST SPECIFICALLY STATE THOSE FACTS AND GROUNDS THAT DEMONSTRATE YOUR CLAIMS OR DEFENSES. IF YOU DO NOT DO ONE OR THE OTHER OF THE ABOVE THINGS WITHIN THE TIME PERIOD SPECIFIED IN THIS NOTICE, YOUR CONTRACT WILL TERMINATE AT THE END OF THE PERIOD AND YOU WILL LOSE ALL THE MONEY YOU HAVE PAID ON THE CONTRACT; YOU WILL LOSE YOUR RIGHT TO POSSESSION OF THE PROPERTY; YOU MAY LOSE YOUR RIGHT TO ASSERT ANY CLAIMS OR DEFENSES THAT YOU MIGHT HAVE; AND YOU WILL BE EVICTED. IF YOU HAVE ANY QUESTIONS ABOUT THIS NOTICE, CONTACT AN ATTORNEY IMMEDIATELY.

Subd. 4. Such The notice required by this section must be given notwithstanding any provisions in the contract to the contrary, and shall be served within the state in the same manner as a summons in the district court, without the state, in the same manner, and without securing any sheriff's return of not found, making any preliminary affidavit, mailing a copy of said the notice or doing any other preliminary act or thing whatsoever. Service of the notice without the state may be proved by the affidavit of the person making the same, made before an authorized officer having a seal, and within the state by such an affidavit or by the return of the sheriff of any county therein.

Three weeks published notice, and if the premises described in the contract are actually occupied, then in addition thereto, the personal service of a copy of the notice within ten days after the first date of publication of the notice, and in like manner as the service of a summons in a civil action in the district court upon the person in possession of the premises, shall have *has* the same effect as the personal service of the notice upon the purchaser, his personal representatives or assigns, either within or without the state as herein provided for. In case of such service by publication.

as herein provided, the notice shall specify the conditions in which default has been made and state that ~~such the~~ contract will terminate 90 days after the first date of publication of the notice, unless prior thereto the purchaser ~~comply~~ *complies* with ~~such the~~ conditions and, if required pursuant to subdivision 2, makes all payments due and owing to the vendor under the contract through the date payment is made and ~~pay~~ *pays* the costs of service, the mortgage registration tax, if actually paid by the vendor, and attorneys' fees as provided herein, and the purchaser, his personal representatives or assigns, shall be allowed 90 days from and after the first date of publication of the notice to comply with the conditions of ~~such the~~ contract.

If, within the time mentioned, the person served complies with ~~such the~~ conditions and, if required pursuant to subdivision 2, makes all payments due and owing to the vendor under the contract through the date payment is made and pays the costs of service, the mortgage registration tax, if actually paid by the vendor, and attorneys' fees as provided herein, the contract shall be thereby reinstated; but otherwise shall terminate. In the event that ~~such the~~ notice was not signed by an attorney for the vendor and the vendor is not present in the state, or cannot be found therein, then compliance with the conditions specified in the notice may be made by paying to the clerk of the district court in the county wherein the real estate or any part thereof is situated any money due and filing proof of compliance with other defaults specified, and the clerk of the district court shall be deemed the agent of the vendor for such purposes. A copy of the notice with proof of service thereof, and the affidavit of the vendor, his agent or attorney, showing that the purchaser has not complied with the terms of the notice, may be recorded with the county recorder, and ~~shall be~~ *is* prima facie evidence of the facts therein stated; but this section ~~shall in no case be held to apply~~ *applies* to contracts for the sale or conveyance of lands situated in another state or in a foreign country.

Sec. 7. Minnesota Statutes 1978, Chapter 559, is amended by adding a section to read:

[559.211] [RESTRAINING OR ENJOINING FURTHER PROCEEDINGS PURSUANT TO NOTICE OF TERMINATION OF CONTRACT OF SALE.] *Subdivision 1. [ORDER RESTRAINING OR ENJOINING FURTHER PROCEEDINGS: SECURITY.] In an action arising under or in relation to a contract for the conveyance of real estate or any interest therein, the county or district court, notwithstanding the service or publication pursuant to the provisions of section 559.21 of a notice of termination of the contract, has the authority at any time prior to the effective date of termination of the contract and subject to the requirements of Rule 65 of the Rules of Civil Procedure for the District Courts or comparable county court rule to enter an order temporarily restraining or enjoining further proceedings to effectuate the termination of the contract, including recording of the notice of termination with proof of service, recording of an affidavit showing noncompliance with the terms of the notice, taking*

any action to recover possession of the real estate, or otherwise interfering with the purchaser's lawful use of the real estate. In the action, the purchaser may plead affirmatively any matter that would constitute a defense to an action to terminate the contract. Upon a motion for a temporary restraining order the court has the discretion, notwithstanding any rule of court to the contrary, to grant the order without requiring the giving of any security or undertaking, and in exercising that discretion, the court shall consider, as one factor, the moving party's ability to afford monetary security. Upon a motion for a temporary injunction, the court shall condition the granting of the order either upon the tender to the court or vendor of installments as they become due under the contract or upon the giving of other security in a sum as the court deems proper. Upon written application, the court may disburse from payments tendered to the court an amount the court determines necessary to insure the timely payment of property taxes, property insurance, installments of special assessments, mortgage installments, prior contract for deed installments or other similar expenses directly affecting the real estate, or for any other purpose the court deems just. If a temporary restraining order or injunction is granted pursuant to this subdivision, the contract shall not terminate until the expiration of 15 days after the entry of the order or decision dissolving or modifying the temporary restraining order or injunction.

Subd. 2. [REMEDIES ADDITIONAL.] *The remedies provided in this section are in addition to and do not limit other rights or remedies available to purchasers or vendors of real estate.*

Subd. 3. [APPLICABILITY.] *This section is applicable to contracts for the conveyance of real estate or any interest therein executed before, on and after the effective date of this section.*

Sec. 8. *This act is effective May 1, 1980."*

Delete the title and insert:

"A bill for an act relating to commerce; providing a floating usury rate and penalty for contracts for deed; changing the termination periods for contracts for deed; clarifying the procedure regarding enjoining contract for deed terminations subsequent to service of the termination notice; amending Minnesota Statutes 1978, Sections 47.20, by adding a subdivision; 559.21; Chapter 559, by adding a section; and Minnesota Statutes, 1979 Supplement, Section 47.20, Subdivisions 2, 3, 4, and 4a."

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

Senate Conferees: (Signed) Collin C. Peterson, Ron Sieloff, Gerry Sikorski

House Conferees: (Signed) Jim Evans, Ray W. Faricy, Lee Greenfield

Mr. Peterson moved that the foregoing recommendations and Conference Committee Report on S. F. No. 273 be now adopted, and that the bill be repassed as amended by the Conference Committee. The motion prevailed. So the recommendations and Conference Committee Report were adopted.

S. F. No. 273: A bill for an act relating to commerce; providing a floating usury rate for contracts for deed on residential property; amending Minnesota Statutes 1978, Section 47.20, Subdivisions 2 and 4, and by adding a subdivision.

Was read the third time, as amended by the Conference Committee, and placed on its repassage.

The question was taken on the repassage of the bill, as amended by the Conference Committee.

The roll was called, and there were yeas 59 and nays 0, as follows:

Those who voted in the affirmative were:

Ashbach	Frederick	Knaak	Penny	Staples
Bang	Gearty	Knoll	Peterson	Stern
Barrette	Gunderson	Knutson	Pillsbury	Stokowski
Benedict	Hanson	Lessard	Purfeerst	Strand
Bernhagen	Hughes	Luther	Renneke	Stumpf
Brataas	Humphrey	McCutcheon	Rued	Tennessee
Chmielewski	Jensen	Menning	Schmitz	Ueland, A.
Coleman	Johnson	Moe	Setzepfandt	Ulland, J.
Davies	Keefe, J.	Ogdahl	Sieloff	Vega
Dieterich	Keefe, S.	Olhoff	Sillers	Wegener
Dunn	Kirchner	Olson	Solon	Willet
Engler	Kleinbaum	Omann	Spear	

So the bill, as amended by the Conference Committee, was repassed and its title was agreed to.

SUSPENSION OF RULES

Mr. Coleman moved to take up the Calendar and waive the lie-over requirement. The motion prevailed.

CALENDAR

S. F. No. 1807: A bill for an act relating to taxation; income; property tax refund; deleting obsolete and unnecessary provisions and references; amending Minnesota Statutes 1978, Sections 290.03; 290.07, Subdivision 4; 290.071, Subdivision 1; 290.073; 290.077, Subdivision 4; 290.08, Subdivisions 3, 8 and 13; 290.09, Subdivisions 5, 13 and 25; 290.095, Subdivisions 3 and 8; 290.131, Subdivision 1; 290.18, Subdivision 1; 290.28, Subdivision 3; 290.311, Subdivisions 1 and 2; 290.32; 290.361, Subdivision 2; 290.38; 290.40; 290.49, Subdivision 1; 290.62; 290.65, Subdivisions 2, 7, 9, 13 and 16; 290.92, Subdivisions 2a, 5, 13 and 15; 290.93, Subdivisions 5 and 9; 290.931, Subdivision 1; 290.932, Subdivision 1; 290.936; 290.97; 290.972, Subdivisions 2 and 3; 290A.07, Subdivision 1; Minnesota Statutes, 1979 Supplement, Sections 290.01, Subdivision 20; and 290A.03, Subdivisions 3 and 13; repealing Minnesota Statutes 1978, Sections 290.06, Subdivisions 2b, 3a and 3b; 290.08, Subdivisions 4 and 5; 290.086; 290.087; 290.09, Subdivisions 11 and 20; 290.095, Subdivision 6; 290.31, Subdivision 28; 290.34, Subdivision 4; 290.361, Subdivision 4; 290.363; 290.45, Subdivision 2a; 290.49, Subdivision 9; 290.53, Subdivision 6; 290.65, Subdivisions 8, 14 and 15; 290.66; 290.68; 290.69; 290.93,

Subdivision 12; 290.932, Subdivision 5; 290.95; 290.96; and 290.-972, Subdivision 7.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 60 and nays 0, as follows:

Those who voted in the affirmative were:

Ashbach	Frederick	Knoll	Omann	Spear
Bang	Gearty	Knutson	Penny	Staples
Barrette	Gunderson	Laufenburger	Peterson	Stern
Benedict	Hanson	Lessard	Pillsbury	Stokowski
Bernhagen	Hughes	Luther	Purfeerst	Strand
Brataas	Humphrey	McCutcheon	Renneke	Stumpf
Chmielewski	Jensen	Menning	Rued	Tennessee
Coleman	Johnson	Moe	Schmitz	Ueland, A.
Davies	Keefe, S.	Nichols	Setzepfandt	Ulland, J.
Dieterich	Kirchner	Ogdahl	Sieloff	Vega
Dunn	Kleinbaum	Olhoff	Sillers	Wegener
Engler	Knaak	Olson	Solon	Willet

So the bill passed and its title was agreed to.

S. F. No. 1658: A bill for an act relating to intoxicating liquor; permitting holders of both on-sale wine and on-sale non-intoxicating malt beverages licenses to sell intoxicating malt beverages; amending Minnesota Statutes 1978, Section 340.11, Subdivision 20.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 22 and nays 37, as follows:

Those who voted in the affirmative were:

Barrette	Gearty	McCutcheon	Stern	Ulland, J.
Brataas	Humphrey	Nichols	Stokowski	Vega
Coleman	Keefe, S.	Ogdahl	Stumpf	
Davies	Kleinbaum	Solon	Tennessee	
Dunn	Luther	Staples	Ueland, A.	

Those who voted in the negative were:

Ashbach	Gunderson	Laufenburger	Peterson	Sillers
Bang	Hanson	Lessard	Pillsbury	Spear
Benedict	Jensen	Menning	Purfeerst	Strand
Bernhagen	Johnson	Moe	Renneke	Wegener
Chmielewski	Keefe, J.	Olhoff	Rued	Willet
Dieterich	Kirchner	Olson	Schmitz	
Engler	Knaak	Omann	Setzepfandt	
Frederick	Knutson	Penny	Sieloff	

So the bill failed to pass.

S. F. No. 1741: A bill for an act relating to motor vehicles; exempting certain retail installment contracts from the Motor Vehicle Installment Sales Act; amending Minnesota Statutes 1978, Section 168.66, Subdivision 4.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 59 and nays 1, as follows:

Those who voted in the affirmative were:

Ashbach	Frederick	Knaak	Omann	Spear
Bang	Gearty	Knoll	Penny	Staples
Barrette	Gunderson	Knutson	Peterson	Stern
Benedict	Hanson	Laufenburger	Pillsbury	Stokowski
Bernhagen	Hughes	Lessard	Purfeerst	Strand
Brataas	Humphrey	Luther	Renneke	Stumpf
Chmielewski	Jensen	Menning	Rued	Tennessen
Coleman	Johnson	Moe	Schmitz	Ueland, A.
Davies	Keefe, J.	Nichols	Setzepfandt	Ulland, J.
Dieterich	Keefe, S.	Ogdahl	Sieloff	Wegener
Dunn	Kirchner	Olhoff	Sillers	Willet
Engler	Kleinbaum	Olson	Solon	

Mr. Vega voted in the negative.

So the bill passed and its title was agreed to.

S. F. No. 1630: A bill for an act relating to the City of Minneapolis; authorizing the establishment of a detached banking facility.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 38 and nays 21, as follows:

Those who voted in the affirmative were:

Bang	Hughes	Lessard	Pillsbury	Stokowski
Brataas	Humphrey	Luther	Purfeerst	Stumpf
Coleman	Johnson	McCutcheon	Sieloff	Tennessen
Davies	Keefe, S.	Moe	Sillers	Ulland, J.
Dieterich	Kleinbaum	Ogdahl	Solon	Vega
Gearty	Knoll	Olhoff	Spear	Willet
Gunderson	Knutson	Olson	Staples	
Hanson	Laufenburger	Peterson	Stern	

Those who voted in the negative were:

Ashbach	Dunn	Knaak	Renneke	Wegener
Barrette	Engler	Menning	Rued	
Benedict	Frederick	Nichols	Schmitz	
Bernhagen	Jensen	Omann	Setzepfandt	
Chmielewski	Keefe, J.	Penny	Strand	

So the bill passed and its title was agreed to.

S. F. No. 1996: A bill for an act relating to the city of Minneapolis; providing for a position in the unclassified service; amending Laws 1969, Chapter 937, Section 1, Subdivision 1, as amended, and by adding a subdivision.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 60 and nays 0, as follows:

Those who voted in the affirmative were:

Ashbach	Frederick	Knaak	Omann	Spear
Bang	Gearty	Knutson	Penny	Staples
Barrette	Gunderson	Laufenburger	Peterson	Stern
Benedict	Hanson	Lessard	Pillsbury	Stokowski
Bernhagen	Hughes	Luther	Purfeerst	Strand
Brataas	Humphrey	McCutcheon	Renneke	Stumpf
Chmielewski	Jensen	Menning	Rued	Tennessen
Coleman	Johnson	Moe	Schmitz	Ueland, A.
Davies	Keefe, J.	Nichols	Setzepfandt	Ulland, J.
Dieterich	Keefe, S.	Ogdahl	Sieloff	Vega
Dunn	Kirchner	Olhoff	Sillers	Wegener
Engler	Kleinbaum	Olson	Solon	Willet

So the bill passed and its title was agreed to.

S. F. No. 1892: A bill for an act relating to workers' compensation; allowing flexibility in election of insurance coverage for certain businesses, partnerships and corporations; amending Minnesota Statutes, 1979 Supplement, Section 176.012.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 61 and nays 0, as follows:

Those who voted in the affirmative were:

Ashbach	Gearty	Knutson	Peterson	Stokowski
Bang	Gunderson	Laufenburger	Pillsbury	Strand
Barrette	Hanson	Lessard	Purfeerst	Stumpf
Benedict	Hughes	Luther	Renneke	Tennessen
Bernhagen	Humphrey	McCutcheon	Rued	Ueland, A.
Brataas	Jensen	Menning	Schmitz	Ulland, J.
Chmielewski	Johnson	Moe	Setzepfandt	Vega
Coleman	Keefe, J.	Nichols	Sieloff	Wegener
Davies	Keefe, S.	Ogdahl	Sillers	Willet
Dieterich	Kirchner	Olhoff	Solon	
Dunn	Kleinbaum	Olson	Spear	
Engler	Knaak	Omann	Staples	
Frederick	Knoll	Penny	Stern	

So the bill passed and its title was agreed to.

S. F. No. 1796: A bill for an act relating to economic development; regulating development loans to Indians; amending Minnesota Statutes 1978, Section 362.40, Subdivisions 2 and 8; Minnesota Statutes, 1979 Supplement, Section 362.40, Subdivision 9; repealing Minnesota Statutes 1978, Section 362.40, Subdivision 3.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 61 and nays 0, as follows:

Those who voted in the affirmative were:

Ashbach	Gearty	Knutson	Peterson	Stokowski
Bang	Gunderson	Laufenburger	Pillsbury	Strand
Barrette	Hanson	Lessard	Purfeerst	Stumpf
Benedict	Hughes	Luther	Renneke	Tennessen
Bernhagen	Humphrey	McCutcheon	Rued	Ueland, A.
Brataas	Jensen	Menning	Schmitz	Ulland, J.
Chmielewski	Johnson	Moe	Setzepfandt	Vega
Coleman	Keefe, J.	Nichols	Sieloff	Wegener
Davies	Keefe, S.	Ogdahl	Sillers	Willet
Dieterich	Kirchner	Olhoff	Solon	
Dunn	Kleinbaum	Olson	Spear	
Engler	Knaak	Omann	Staples	
Frederick	Knoll	Penny	Stern	

So the bill passed and its title was agreed to.

S. F. No. 1716: A bill for an act relating to workers' compensation; providing an annual date for adjusting supplementary benefit levels; amending Minnesota Statutes 1978, Section 176.132, by adding a subdivision.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 59 and nays 0, as follows:

Those who voted in the affirmative were:

Ashbach	Gearty	Knoll	Omann	Staples
Bang	Gunderson	Knutson	Penny	Stern
Barrette	Hanson	Laufenburger	Peterson	Stokowski
Benedict	Hughes	Lessard	Pillsbury	Strand
Bernhagen	Humphrey	Luther	Purfeerst	Stumpf
Brataas	Jensen	McCutcheon	Renneke	Tennessen
Chmielewski	Johnson	Menning	Rued	Ueland, A.
Coleman	Keefe, J.	Moe	Schmitz	Ulland, J.
Davies	Keefe, S.	Nichols	Sieloff	Vega
Dunn	Kirchner	Ogdahl	Sillers	Wegener
Engler	Kleinbaum	Olhoff	Solon	Willet
Frederick	Knaak	Olson	Spear	

So the bill passed and its title was agreed to.

S. F. No. 1613: A bill for an act relating to Independent School District No. 119, Walker; authorizing it to transfer money from its general fund to its capital expenditure fund for the purpose of constructing a facility for special education.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 59 and nays 0, as follows:

Those who voted in the affirmative were:

Ashbach	Bernhagen	Davies	Frederick	Hughes
Bang	Brataas	Dieterich	Gearty	Humphrey
Barrette	Chmielewski	Dunn	Gunderson	Johnson
Benedict	Coleman	Engler	Hanson	Keefe, J.

Keefe, S.	Luther	Penny	Sieloff	Stumpf
Kirchner	McCutcheon	Peterson	Sillers	Tennessee
Kleinbaum	Moe	Pillsbury	Solon	Ueland, A.
Knaak	Nichols	Purfeerst	Spear	Ulland, J.
Knoll	Ogdahl	Renneke	Staples	Vega
Knutson	Olhoft	Rued	Stern	Wegener
Laufenburger	Olson	Schmitz	Stokowski	Willet
Lessard	Omann	Setzepfandt	Strand	

So the bill passed and its title was agreed to.

S. F. No. 1751: A bill for an act relating to highway traffic regulations; providing that the operation of certain motorcycles does not require a two-wheeled vehicle endorsement on the operator's driver's license; amending Minnesota Statutes 1978, Section 169.974, Subdivision 2; and by adding a subdivision.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 61 and nays 0, as follows:

Those who voted in the affirmative were:

Ashbach	Gearty	Knutson	Peterson	Stokowski
Bang	Gunderson	Laufenburger	Pillsbury	Strand
Barrette	Hanson	Lessard	Purfeerst	Stumpf
Benedict	Hughes	Luther	Renneke	Tennessee
Bernhagen	Humphrey	McCutcheon	Rued	Ueland, A.
Brataas	Jensen	Menning	Schmitz	Ulland, J.
Chmielewski	Johnson	Moe	Setzepfandt	Vega
Coleman	Keefe, J.	Nichols	Sieloff	Wegener
Davies	Keefe, S.	Ogdahl	Sillers	Willet
Dieterich	Kirchner	Olhoft	Solon	
Dunn	Kleinbaum	Olson	Spear	
Engler	Knaak	Omann	Staples	
Frederick	Knoll	Penny	Stern	

So the bill passed and its title was agreed to.

S. F. No. 1541: A bill for an act relating to transportation; abolishing the functions, powers and duties of the department of transportation relating to the inspection, grading, sampling and analysis of hay and straw; clarifying laws relating to the regulation of railroads and removing obsolete and duplicative language; prescribing certain powers of the commissioner of transportation and the public service commission relating to rates and charges; requiring track scales, and regulating the weighing of railroad cars and freight; providing for railroad grade crossing safety devices and other safety devices; prescribing penalties; amending Minnesota Statutes 1978, Sections 218.011, Subdivision 2; 218.021; 218.031, Subdivision 1; 218.041; 219.01; 219.08; 219.10; 219.14; 219.17; 219.19; 219.23; 219.28; 219.383, Subdivision 4; 219.39; 219.40; 219.403; 219.47; 219.50; 219.52; 219.54; 219.64; 219.70; 219.741; 219.85; 219.92; 219.97, Subdivision 7; Chapters 25, by adding sections; 219, by adding sections; and 239, by adding a section; repealing Minnesota Statutes 1978, Sections 219.02; 219.03; 219.04; 219.05; 219.07; 219.11; 219.12; 219.25; 219.43;

219.58; 219.59; 219.60; 219.61; 219.62; 219.63; 219.65; 219.66; 219.67; 219.84; 219.86; 219.87; 219.89; 219.90; 219.91; 219.94; 219.95; 219.96; 219.97, Subdivisions 1, 2, 3, 8, 9, 11, 14, 15 and 16; 222.38; 222.39; 222.40; 222.41; 222.42; 222.43; 222.44; 222.45; 229.01; 229.02; 229.03; 229.04; 229.05; 229.06; 229.07; 229.08; 229.10; 229.11; 229.12; 229.13; 229.14; 229.15; 229.16; 229.17; 229.18; 229.19; 229.20; and 452.14.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 61 and nays 0, as follows:

Those who voted in the affirmative were:

Ashbach	Gearty	Knutson	Peterson	Stokowski
Bang	Gunderson	Laufenburger	Pillsbury	Strand
Barrette	Hanson	Lessard	Purfeerst	Stumpf
Benedict	Hughes	Luther	Renneke	Tennessen
Bernhagen	Humphrey	McCutcheon	Rued	Ueland, A.
Brataas	Jensen	Menning	Schmitz	Ulland, J.
Chmielewski	Johnson	Moe	Setzepfandt	Vega
Coleman	Keefe, J.	Nichols	Sieloff	Wegener
Davies	Keefe, S.	Ogdahl	Sillers	Willet
Dieterich	Kirchner	Olhoff	Solon	
Dunn	Kleinbaum	Olson	Spear	
Engler	Knaak	Omann	Staples	
Frederick	Knoll	Penny	Stern	

So the bill passed and its title was agreed to.

S. F. No. 2095: A bill for an act relating to Hennepin County; providing for a county personnel system; providing various conditions of public employment; amending Laws 1965, Chapter 855, Sections 1, 2, 3, 4, as amended, 5, 6, as amended, 7, as amended, 8, 9, 10, 11, 12, 13, 14, 15, as amended, and 16; and Laws 1979, Chapter 198, Article I, Section 2; repealing Laws 1945, Chapter 607, as amended; Laws 1965, Chapter 855, Section 17; Laws 1967, Chapter 646, Sections 4, 5, 6, and 7, and Chapter 779; and Laws 1979, Chapter 198, Article III, Section 5.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 61 and nays 0, as follows:

Those who voted in the affirmative were:

Ashbach	Engler	Kirchner	Nichols	Schmitz
Bang	Frederick	Kleinbaum	Ogdahl	Setzepfandt
Barrette	Gearty	Knaak	Olhoff	Sieloff
Benedict	Gunderson	Knoll	Olson	Sillers
Bernhagen	Hanson	Knutson	Omann	Solon
Brataas	Hughes	Laufenburger	Penny	Spear
Chmielewski	Humphrey	Lessard	Peterson	Staples
Coleman	Jensen	Luther	Pillsbury	Stern
Davies	Johnson	McCutcheon	Purfeerst	Stokowski
Dieterich	Keefe, J.	Menning	Renneke	Strand
Dunn	Keefe, S.	Moe	Rued	Stumpf

Tennessee Ulland, J. Vega Wegener Willet
Ueland, A.

So the bill passed and its title was agreed to.

S. F. No. 1732: A bill for an act relating to public welfare; allowing county boards to delegate certain powers to county welfare boards; allowing human services boards to appoint a director on a permissive basis; amending Minnesota Statutes, 1979 Supplement, Sections 256E.08, by adding a subdivision; and 402.05, Subdivision 1a.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 29 and nays 33, as follows:

Those who voted in the affirmative were:

Ashbach	Gearty	McCutcheon	Omann	Schmitz
Bang	Hanson	Menning	Penny	Setzepfandt
Benedict	Jensen	Moe	Peterson	Strand
Bernhagen	Keefe, J.	Nelson	Pillsbury	Wegener
Chmielewski	Kirchner	Nichols	Renneke	Willet
Dunn	Kleinbaum	Olson	Rued	

Those who voted in the negative were:

Barrette	Hughes	Laufenburger	Sieloff	Stumpf
Brataas	Humphrey	Lessard	Sillers	Tennessee
Coleman	Johnson	Luther	Solon	Ueland, A.
Davies	Keefe, S.	Merriam	Spear	Ulland, J.
Dieterich	Knaak	Ogdahl	Staples	Vega
Engler	Knoll	Olhoft	Stern	
Frederick	Knutson	Purfeerst	Stokowski	

So the bill failed to pass.

S. F. No. 1731: A bill for an act relating to trade secrets; enacting the uniform trade secrets act.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 59 and nays 0, as follows:

Those who voted in the affirmative were:

Ashbach	Frederick	Knutson	Penny	Staples
Bang	Gearty	Laufenburger	Peterson	Stern
Barrette	Hanson	Lessard	Pillsbury	Stokowski
Benedict	Hughes	Luther	Purfeerst	Strand
Bernhagen	Humphrey	McCutcheon	Renneke	Stumpf
Brataas	Jensen	Menning	Rued	Tennessee
Chmielewski	Johnson	Merriam	Schmitz	Ueland, A.
Coleman	Keefe, S.	Moe	Setzepfandt	Ulland, J.
Davies	Kirchner	Nichols	Sieloff	Vega
Dieterich	Kleinbaum	Olhoft	Sillers	Wegener
Dunn	Knaak	Olson	Solon	Willet
Engler	Knoll	Omann	Spear	

So the bill passed and its title was agreed to.

S. F. No. 1957: A bill for an act relating to transportation; exempting certain substituted aircraft from payment of the aircraft registration tax; limiting refunds under certain circumstances; clarifying the penalty assessed for late payment of registration tax; amending Minnesota Statutes 1978, Sections 360.55, by adding a subdivision; and 360.61.

With the unanimous consent of the Senate, Mr. Penny moved to amend S. F. No. 1957 as follows:

Page 2, line 1, delete "*department*" and insert "*commissioner*"

Page 2, line 5, delete "*department*" and insert "*commissioner*"

The motion prevailed. So the amendment was adopted.

S. F. No. 1957 was read the third time, as amended, and placed on its final passage.

The question was taken on the passage of the bill, as amended.

The roll was called, and there were yeas 62 and nays 0, as follows:

Those who voted in the affirmative were:

Ashbach	Gunderson	Laufenburger	Penny	Stern
Bang	Hanson	Lessard	Peterson	Stokowski
Barrette	Hughes	Luther	Pillsbury	Strand
Benedict	Humphrey	McCutcheon	Purfeerst	Stumpf
Bernhagen	Jensen	Menning	Renneke	Tennesen
Brataas	Johnson	Merriam	Rued	Ueland, A.
Chmielewski	Keefe, J.	Moe	Schmitz	Ulland, J.
Davies	Keefe, S.	Nelson	Setzepfandt	Vega
Dieterich	Kirchner	Nichols	Sieloff	Wegener
Dunn	Kleinbaum	Ogdahl	Sillers	Willet
Engler	Knaak	Olhoff	Solon	
Frederick	Knoll	Olson	Spear	
Gearty	Knutson	Omann	Staples	

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

S. F. No. 2090: A bill for an act relating to transportation; allowing the use of certain documents as relevant evidence of exceeding vehicle weight limits; requiring record keeping for shipments unloaded; imposing civil penalties; amending Minnesota Statutes 1978, Chapter 169, by adding sections.

With the unanimous consent of the Senate, Mr. Willet moved to amend S. F. No. 2090 as follows:

Page 1, line 17, delete "*the*" and insert "*a*"

Page 1, line 18, delete "*the*" and insert "*a*"

Page 1, line 20, delete "*which*" and insert "*that*"

Page 1, line 22, delete "*shall be*" and insert "*is*"

Page 1, line 23, delete "*a*" and insert "*the*"

Page 2, line 2, delete "*which*" and insert "*that*,"

Page 2, line 4, after "*vehicle*" insert a comma

Page 2, line 6, delete "*shall be*" and insert "*is*"

Page 2, line 6, delete "*a*" and insert "*the*"

Page 2, line 15, delete "*which*" and insert "*that*"

Page 2, line 18, delete "*which*" and insert "*that*"

Page 2, line 21, delete "*less*" and insert "*not more*"

Page 2, line 23, delete the period and insert a semicolon

Page 2, line 24, delete "*less*" and insert "*more*"

Page 2, line 25, delete "*3,000*" and insert "*2,000*"

Page 2, line 25, delete "*and*" and insert "*but not*"

Page 2, line 25, delete "*2,000*" and insert "*3,000*"

Page 2, line 26, delete the period and insert a semicolon

Page 2, line 27, delete "*less*" and insert "*more*"

Page 2, line 28, delete "*5,000*" and insert "*3,000*"

Page 2, line 28, delete "*and*" and insert "*but not*"

Page 2, line 28, delete "*3,000*" and insert "*5,000*"

Page 2, line 29, delete the period and insert "*; or*"

Page 3, line 24, delete "*shall be*" and insert "*is*"

Page 3, line 33, delete "*which*" and insert "*that*"

Page 4, line 1, delete "*shall*" and insert "*is*"

Page 4, line 2, delete "*constitute*"

The motion prevailed. So the amendment was adopted.

S. F. No. 2090 was read the third time, as amended, and placed on its final passage.

The question was taken on the passage of the bill, as amended.

The roll was called, and there were yeas 47 and nays 13, as follows:

Those who voted in the affirmative were:

Bang	Hughes	Knutson	Pillsbury	Stokowski
Benedict	Humphrey	Laufenburger	Purfeerst	Stumpf
Bernhagen	Jensen	Lessard	Renneke	Tennessen
Brataas	Johnson	Luther	Rued	Ueland, A.
Chmielewski	Keefe, J.	McCutcheon	Schmitz	Vega
Davies	Keefe, S.	Nelson	Sieloff	Wegener
Dieterich	Kirchner	Olhoft	Solon	Willet
Engler	Kleinbaum	Olson	Spear	
Gearty	Knaak	Omann	Staples	
Hanson	Knoll	Penny	Stern	

Those who voted in the negative were:

Ashbach	Gunderson	Moe	Setzepfandt	Ulland, J.
Barrette	Menning	Nichols	Sillers	
Frederick	Merriam	Peterson	Strand	

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

S. F. No. 1679: A bill for an act relating to transportation; permitting certain exemptions from motor carrier reporting requirements; requiring driver qualifications and safety requirements for certain carriers; creating a single annual renewal date for holders of multiple permits; permitting issuance of "floater" identification cards to motor carriers; clarifying enforcement powers; amending Minnesota Statutes 1978, Sections 221.031, Subdivision 1; 221.131; 221.221; and Minnesota Statutes, 1979 Supplement, Section 221.011, Subdivision 22.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 61 and nays 0, as follows:

Those who voted in the affirmative were:

Ashbach	Gunderson	Laufenburger	Peterson	Stokowski
Bang	Hanson	Lessard	Pillsbury	Strand
Barrette	Hughes	Luther	Purfeerst	Stumpf
Benedict	Humphrey	McCutcheon	Renneke	Tennessee
Bernhagen	Jensen	Menning	Rued	Ueland, A.
Brataas	Johnson	Merriam	Schmitz	Ulland, J.
Chmielewski	Keefe, J.	Moe	Setzepfandt	Vega
Davies	Keefe, S.	Nelson	Sieloff	Wegener
Dieterich	Kirchner	Nichols	Sillers	Willet
Dunn	Kleinbaum	Olhoff	Solon	
Engler	Knaak	Olson	Spear	
Frederick	Knoll	Omann	Staples	
Gerty	Knutson	Penny	Stern	

So the bill passed and its title was agreed to.

S. F. No. 2110: A bill for an act relating to metropolitan government; providing for the maximum amount of the borrowing authorization of the metropolitan airports commission; amending Minnesota Statutes 1978, Section 473.667, Subdivision 2.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 61 and nays 1, as follows:

Those who voted in the affirmative were:

Ashbach	Dieterich	Hughes	Kleinbaum	McCutcheon
Bang	Dunn	Humphrey	Knaak	Menning
Barrette	Engler	Jensen	Knoll	Merriam
Benedict	Frederick	Johnson	Knutson	Moe
Bernhagen	Gerty	Keefe, J.	Laufenburger	Nelson
Brataas	Gunderson	Keefe, S.	Lessard	Nichols
Chmielewski	Hanson	Kirchner	Luther	Ogdahl

Olhoft	Purfeerst	Sillers	Strand	Wegener
Olson	Renneke	Solon	Stumpf	Willet
Omman	Rued	Spear	Tennessee	
Penny	Schmitz	Staples	Ueland, A.	
Peterson	Setzepfandt	Stern	Ulland, J.	
Pillsbury	Sieloff	Stokowski	Vega	

So the bill passed and its title was agreed to.

Mr. Davies voted in the negative.

S. F. No. 2104: A bill for an act relating to state lands; changing the interest rate on unpaid sale balances; amending Minnesota Statutes 1978, Section 92.06, Subdivision 1.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 61 and nays 1 as, follows:

Those who voted in the affirmative were:

Ashbach	Gunderson	Lessard	Peterson	Stokowski
Bang	Hanson	Luther	Pillsbury	Strand
Barrette	Hughes	McCutcheon	Purfeerst	Stumpf
Benedict	Humphrey	Menning	Renneke	Tennessee
Bernhagen	Jensen	Merriam	Rued	Ueland, A.
Brataas	Johnson	Moe	Schmitz	Ulland, J.
Chmielewski	Keefe, S.	Nelson	Setzepfandt	Vega
Davies	Kirchner	Nichols	Sieloff	Wegener
Dieterich	Kleinbaum	Ogdahl	Sillers	Willet
Dunn	Knaak	Olhoft	Solon	
Engler	Knoll	Olson	Spear	
Frederick	Knutson	Omman	Staples	
Gearty	Laufenburger	Penny	Stern	

Mr. Keefe, J. voted in the negative.

So the bill passed and its title was agreed to.

S. F. No. 1900: A bill for an act relating to financial institutions; authorizing certain additional facilities for banks; amending Minnesota Statutes 1978, Section 47.52.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 61 and nays 0, as follows:

Those who voted in the affirmative were:

Ashbach	Gunderson	Lessard	Peterson	Stokowski
Bang	Hanson	Luther	Pillsbury	Strand
Barrette	Hughes	McCutcheon	Purfeerst	Stumpf
Benedict	Humphrey	Menning	Renneke	Tennessee
Bernhagen	Jensen	Merriam	Rued	Ueland, A.
Brataas	Johnson	Moe	Schmitz	Ulland, J.
Chmielewski	Keefe, J.	Nelson	Setzepfandt	Vega
Davies	Keefe, S.	Nichols	Sieloff	Wegener
Dieterich	Kleinbaum	Ogdahl	Sillers	Willet
Dunn	Knaak	Olhoft	Solon	
Engler	Knoll	Olson	Spear	
Frederick	Knutson	Omman	Staples	
Gearty	Laufenburger	Penny	Stern	

So the bill passed and its title was agreed to.

S. F. No. 1810: A bill for an act relating to motor vehicles; registration and taxation; exempting certain tax exempt vehicles from special markings; amending Minnesota Statutes 1978, Section 168.012, Subdivision 1.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 62 and nays 0, as follows:

Those who voted in the affirmative were:

Ashbach	Gunderson	Laufenburger	Penny	Stern
Bang	Hanson	Lessard	Peterson	Stokowski
Barrette	Hughes	Luther	Pillsbury	Strand
Benedict	Humphrey	McCutcheon	Purfeerst	Stumpf
Bernhagen	Jensen	Menning	Renneke	Tennessen
Brataas	Johnson	Merriam	Rued	Ueland, A.
Chmielewski	Keefe, J.	Moe	Schmitz	Ulland, J.
Davies	Keefe, S.	Nelson	Setzepfandt	Vega
Dieterich	Kirchner	Nichols	Sieloff	Wegener
Dunn	Kleinbaum	Ogdahl	Sillers	Willet
Engler	Knaak	Olhoft	Solon	
Frederick	Knoll	Olson	Spear	
Gearty	Knutson	Omann	Staples	

So the bill passed and its title was agreed to.

S. F. No. 1937: A bill for an act relating to drivers licenses; authorizing instruction permit holders to operate a motor vehicle while receiving behind the wheel training when accompanied by licensed adults; amending Minnesota Statutes 1978, Section 171.05, Subdivision 2.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 62 and nays 0, as follows:

Those who voted in the affirmative were:

Ashbach	Gunderson	Laufenburger	Penny	Stern
Bang	Hanson	Lessard	Peterson	Stokowski
Barrette	Hughes	Luther	Pillsbury	Strand
Benedict	Humphrey	McCutcheon	Purfeerst	Stumpf
Bernhagen	Jensen	Menning	Renneke	Tennessen
Brataas	Johnson	Merriam	Rued	Ueland, A.
Chmielewski	Keefe, J.	Moe	Schmitz	Ulland, J.
Coleman	Keefe, S.	Nelson	Setzepfandt	Vega
Davies	Kirchner	Nichols	Sieloff	Wegener
Dieterich	Kleinbaum	Ogdahl	Sillers	Willet
Engler	Knaak	Olhoft	Solon	
Frederick	Knoll	Olson	Spear	
Gearty	Knutson	Omann	Staples	

So the bill passed and its title was agreed to.

S. F. No. 2131: A bill for an act relating to local government; permitting local governmental bodies to set mileage allowances for officers and employees; amending Minnesota Statutes 1978,

Section 471.665, Subdivision 3; and Minnesota Statutes, 1979 Supplement, Section 471.665, Subdivision 1.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 44 and nays 18, as follows:

Those who voted in the affirmative were:

Benedict	Hanson	Laufenburger	Peterson	Spear
Bernhagen	Hughes	Lessard	Purfeerst	Staples
Chmielewski	Humphrey	Menning	Renneke	Stern
Dieterich	Johnson	Moe	Rued	Stokowski
Dunn	Keefe, S.	Nelson	Schmitz	Strand
Engler	Kleinbaum	Nichols	Setzepfandt	Ueland, A.
Frederick	Knaak	Olhoft	Sieloff	Wegener
Gearty	Knoll	Olson	Sillers	Willet
Gunderson	Knutson	Penny	Solon	

Those who voted in the negative were:

Ashbach	Davies	Luther	Omann	Ulland, J.
Bang	Jensen	McCutcheon	Pillabury	Vega
Barrette	Keefe, J.	Merriam	Stumpf	
Brataas	Kirchner	Ogdahl	Tennessen	

So the bill passed and its title was agreed to.

S. F. No. 2102: A bill for an act relating to the city of Melrose; authorizing the issuance of general obligation bonds for a fire hall and community center.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 62 and nays 1, as follows:

Those who voted in the affirmative were:

Ashbach	Gearty	Knutson	Penny	Stern
Bang	Gunderson	Laufenburger	Peterson	Stokowski
Barrette	Hanson	Lessard	Pillsbury	Strand
Benedict	Hughes	Luther	Purfeerst	Stumpf
Bernhagen	Humphrey	McCutcheon	Renneke	Tennessen
Brataas	Jensen	Menning	Rued	Ueland, A.
Chmielewski	Johnson	Moe	Schmitz	Ulland, J.
Coleman	Keefe, J.	Nelson	Setzepfandt	Vega
Davies	Keefe, S.	Nichols	Sieloff	Wegener
Dieterich	Kirchner	Ogdahl	Sillers	Willet
Dunn	Kleinbaum	Olhoft	Solon	
Engler	Knaak	Olson	Spear	
Frederick	Knoll	Omann	Staples	

Mr. Merriam voted in the negative.

So the bill passed and its title was agreed to.

S. F. No. 2040: A bill for an act relating to the city of Campbell; authorizing issuance of general obligation bonds to finance construction of a community hall.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 59 and nays 1, as follows:

Those who voted in the affirmative were:

Bang	Gunderson	Knutson	Penny	Staples
Barrette	Hanson	Laufenburger	Peterson	Stern
Bernhagen	Hughes	Lessard	Pillsbury	Stokowski
Brataas	Humphrey	Luther	Purfeerst	Strand
Chmielewski	Jensen	Menning	Renneke	Stumpf
Coleman	Johnson	Moe	Rued	Tennessee
Davies	Keefe, J.	Nelson	Schmitz	Ueland, A.
Dieterich	Keefe, S.	Nichols	Setzepfandt	Ulland, J.
Dunn	Kirchner	Ogdahl	Sieloff	Vega
Engler	Kleinbaum	Olhoff	Sillers	Wegener
Frederick	Knaak	Olson	Solon	Willet
Gearty	Knoll	Omann	Spear	

Mr. Merriam voted in the negative.

So the bill passed and its title was agreed to.

S. F. No. 1979: A bill for an act relating to state forests; altering the boundaries of Badoura State Forest; amending Minnesota Statutes 1978, Section 89.021, Subdivision 2.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 63 and nays 0, as follows:

Those who voted in the affirmative were:

Ashbach	Gearty	Knutson	Omann	Staples
Bang	Gunderson	Laufenburger	Penny	Stern
Barrette	Hanson	Lessard	Peterson	Stokowski
Benedict	Hughes	Luther	Pillsbury	Strand
Bernhagen	Humphrey	McCutcheon	Purfeerst	Stumpf
Brataas	Jensen	Menning	Renneke	Tennessee
Chmielewski	Johnson	Merriam	Rued	Ueland, A.
Coleman	Keefe, J.	Moe	Schmitz	Ulland, J.
Davies	Keefe, S.	Nelson	Setzepfandt	Vega
Dieterich	Kirchner	Nichols	Sieloff	Wegener
Dunn	Kleinbaum	Ogdahl	Sillers	Willet
Engler	Knaak	Olhoff	Solon	
Frederick	Knoll	Olson	Spear	

So the bill passed and its title was agreed to.

S. F. No. 1187: A bill for an act relating to insurance; providing for continuation of waiver of premium benefits for the disabled, regardless of continuation of the master policy; amending Minnesota Statutes 1978, Section 61A.091.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 63 and nays 0, as follows:

Those who voted in the affirmative were:

Ashbach	Gearty	Knutson	Omann	Staples
Bang	Gunderson	Laufenburger	Penny	Stern
Barrette	Hanson	Lessard	Peterson	Stokowski
Benedict	Hughes	Luther	Pillsbury	Strand
Bernhagen	Humphrey	McCutcheon	Purfeerst	Stumpf
Brataas	Jensen	Menning	Renneke	Tennessen
Chmielewski	Johnson	Merriam	Rued	Ueland, A.
Coleman	Keefe, J.	Moe	Schmitz	Ulland, J.
Davies	Keefe, S.	Nelson	Setzepfandt	Vega
Dieterich	Kirchner	Nichols	Sieloff	Wegener
Dunn	Kleinbaum	Ogdahl	Sillers	Willett
Engler	Knaak	Olhoft	Solon	
Frederick	Knoll	Olson	Spear	

So the bill passed and its title was agreed to.

S. F. No. 1889: A bill for an act relating to intoxicating liquor; authorizing the use of wine catalogs by off-sale dealers; amending Minnesota Statutes 1978, Section 340.15, Subdivision 1.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 48 and nays 15, as follows:

Those who voted in the affirmative were:

Ashbach	Frederick	Knoll	Omann	Stern
Bang	Gearty	Knutson	Penny	Stokowski
Barrette	Hanson	Lessard	Pillsbury	Stumpf
Bernhagen	Hughes	Luther	Purfeerst	Tennessen
Brataas	Humphrey	Merriam	Schmitz	Ueland, A.
Coleman	Jensen	Moe	Sieloff	Ulland, J.
Davies	Johnson	Nelson	Sillers	Vega
Dieterich	Keefe, J.	Nichols	Solon	Wegener
Dunn	Keefe, S.	Ogdahl	Spear	
Engler	Knaak	Olson	Staples	

Those who voted in the negative were:

Benedict	Kirchner	McCutcheon	Peterson	Setzepfandt
Chmielewski	Kleinbaum	Menning	Renneke	Strand
Gunderson	Laufenburger	Olhoft	Rued	Willett

So the bill passed and its title was agreed to.

S. F. No. 1188: A bill for an act relating to insurance; providing that an employer group disability income policy provide coverage for pre-termination claims.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 63 and nays 0, as follows:

Those who voted in the affirmative were:

Ashbach	Gearly	Knutson	Omann	Staples
Bang	Gunderson	Laufenburger	Penny	Stern
Barrette	Hanson	Lessard	Peterson	Stokowski
Benedict	Hughes	Luther	Pillsbury	Strand
Bernhagen	Humphrey	McCutcheon	Purfeerst	Stumpf
Brataas	Jensen	Menning	Renneke	Tennessen
Chmielewski	Johnson	Merriam	Rued	Ueland, A.
Coleman	Keefe, J.	Moe	Schmitz	Ulland, J.
Davies	Keefe, S.	Nelson	Setzepfandt	Vega
Dieterich	Kirchner	Nichols	Sieloff	Wegener
Dunn	Kleinbaum	Ogdahl	Sillers	Willet
Engler	Knaak	Olhoft	Solon	
Frederick	Knoll	Olson	Spears	

So the bill passed and its title was agreed to.

S. F. No. 1662: A bill for an act relating to intoxicating liquor; authorizing holders of off-sale licenses to dispense samples of wine; amending Minnesota Statutes 1978, Section 340.11, Subdivision 15.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 35 and nays 26, as follows:

Those who voted in the affirmative were:

Bang	Gearly	Luther	Pillsbury	Stokowski
Barrette	Hughes	Merriam	Purfeerst	Stumpf
Brataas	Keefe, S.	Nelson	Setzepfandt	Tennessen
Coleman	Kleinbaum	Nichols	Sillers	Ueland, A.
Davies	Knaak	Ogdahl	Spears	Ulland, J.
Dieterich	Laufenburger	Omann	Staples	Vega
Frederick	Lessard	Penny	Stern	Wegener

Those who voted in the negative were:

Ashbach	Gunderson	Knutson	Peterson	Strand
Benedict	Hanson	McCutcheon	Renneke	Willet
Bernhagen	Humphrey	Menning	Rued	
Chmielewski	Johnson	Moe	Schmitz	
Dunn	Keefe, J.	Olhoft	Sieloff	
Engler	Kirchner	Olson	Solon	

So the bill passed and its title was agreed to.

S. F. No. 1700: A bill for an act relating to insurance; regulating suicide provisions in life insurance contracts; amending Minnesota Statutes 1978, Chapter 61A, by adding a section.

Mr. Davies moved that S. F. No. 1700, No. 54 on the Calendar, be stricken and placed at the top of General Orders. The motion prevailed.

S. F. No. 1358: A bill for an act relating to insurance; clarifying provisions regarding acquisition of control of domestic insurers; changing the time period after which a hearing must be held under the insurance holding company systems act; changing the time

period under which discovery must be completed for these hearings; eliminating an exemption from the insurance holding company systems act; amending Minnesota Statutes 1978, Section 60D.02, Subdivisions 4 and 6.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 60 and nays 0, as follows:

Those who voted in the affirmative were:

Ashbach	Frederick	Knoll	Olhoft	Solon
Bang	Gearly	Knutson	Olson	Spear
Barrette	Gunderson	Laufenburger	Omann	Staples
Benedict	Hanson	Lessard	Penny	Stern
Bernhagen	Hughes	Luther	Peterson	Stokowski
Brataas	Humphrey	McCutcheon	Pillsbury	Strand
Chmielewski	Johnson	Menning	Purfeerst	Tennessee
Coleman	Keefe, J.	Merriam	Renneke	Ueland, A.
Davies	Keefe, S.	Moe	Rued	Ulland, J.
Dieterich	Kirchner	Nelson	Schmitz	Vega
Dunn	Kleinbaum	Nichols	Setzepfandt	Wegener
Engler	Knaak	Ogdahl	Sieloff	Willet

So the bill passed and its title was agreed to.

S. F. No. 1922: A bill for an act relating to financial institutions; permitting banks or trust companies to invest up to 20 percent of their capital and surplus in certain agricultural credit corporations; amending Minnesota Statutes 1978, Section 48.61, Subdivision 1.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 61 and nays 0, as follows:

Those who voted in the affirmative were:

Ashbach	Gearly	Laufenburger	Penny	Stokowski
Bang	Gunderson	Lessard	Peterson	Strand
Barrette	Hanson	Luther	Pillsbury	Stumpf
Benedict	Hughes	McCutcheon	Purfeerst	Tennessee
Bernhagen	Humphrey	Menning	Renneke	Ueland, A.
Brataas	Johnson	Merriam	Rued	Ulland, J.
Chmielewski	Keefe, J.	Moe	Schmitz	Vega
Coleman	Keefe, S.	Nelson	Setzepfandt	Wegener
Davies	Kirchner	Nichols	Sieloff	Willet
Dieterich	Kleinbaum	Ogdahl	Solon	
Dunn	Knaak	Olhoft	Spear	
Engler	Knoll	Olson	Staples	
Frederick	Knutson	Omann	Stern	

So the bill passed and its title was agreed to.

S. F. No. 1825: A bill for an act relating to state government; permitting payroll deductions for the Minnesota Benefit Association; amending Minnesota Statutes 1978, Section 10.39, Subdivision 1.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 60 and nays 1, as follows:

Those who voted in the affirmative were:

Aashbach	Frederick	Knoll	Olhoft	Spear
Bang	Gearty	Knutson	Olson	Staples
Barrette	Gunderson	Laufenburger	Omann	Stern
Benedict	Hanson	Lessard	Penny	Stokowski
Bernhagen	Hughes	Luther	Peterson	Strand
Brataas	Humphrey	McCutcheon	Pillsbury	Stumpf
Chmielewski	Johnson	Menning	Purfeerst	Tennessee
Coleman	Keefe, J.	Merriam	Renneke	Ueland, A.
Davies	Keefe, S.	Moe	Rued	Ulland, J.
Dieterich	Kirchner	Nelson	Schmitz	Vega
Dunn	Kleinbaum	Nichols	Sieloff	Wegener
Engler	Knaak	Ogdahl	Solon	Willet

Mr. Setzepfandt voted in the negative.

So the bill passed and its title was agreed to.

S. F. No. 1659: A bill for an act relating to intoxicating liquor; permitting municipalities to authorize the sale of intoxicating liquor at arenas and sports complexes in certain cases; amending Minnesota Statutes 1978, Section 340.11, by adding a subdivision.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 40 and nays 21, as follows:

Those who voted in the affirmative were:

Aashbach	Hanson	Laufenburger	Omann	Stern
Bang	Humphrey	Lessard	Penny	Stokowski
Barrette	Jensen	Luther	Pillsbury	Stumpf
Brataas	Johnson	Merriam	Purfeerst	Tennessee
Coleman	Keefe, S.	Moe	Setzepfandt	Ueland, A.
Davies	Kleinbaum	Nelson	Solon	Ulland, J.
Dieterich	Knaak	Nichols	Spear	Vega
Gearty	Knoll	Ogdahl	Staples	Wegener

Those who voted in the negative were:

Benedict	Gunderson	McCutcheon	Renneke	Willet
Bernhagen	Hughes	Menning	Rued	
Chmielewski	Keefe, J.	Olhoft	Schmitz	
Dunn	Kirchner	Olson	Sieloff	
Frederick	Knutson	Peterson	Strand	

So the bill passed and its title was agreed to.

S. F. No. 1661: A bill for an act relating to intoxicating liquor; removing limitations on the number of on-sale licenses which cities may issue; permitting counties and cities to set off-sale license fees; amending Minnesota Statutes 1978, Sections 340.11, Subdivisions 3a, 5a, 7a, 10a, 13, 14, and 20; 340.353, Subdivision 5; Minnesota Statutes, 1979 Supplement, Section 340.11, Subdi-

visions 11 and 11b; and repealing Minnesota Statutes 1978, Section 340.11, Subdivisions 8 and 18.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 23 and nays 38, as follows:

Those who voted in the affirmative were:

Bang	Jensen	Laufenburger	Ogdahl	Stern
Coleman	Johnson	Luther	Penny	Stokowski
Dieterich	Keefe, S.	McCutcheon	Pillsbury	Tennessen
Gearty	Kleinbaum	Merriam	Purfeerst	
Hughes	Knoll	Nelson	Staples	

Those who voted in the negative were:

Ashbach	Engler	Knutson	Renneke	Stumpf
Barrette	Frederick	Menning	Rued	Ueland, A.
Benedict	Gunderson	Moe	Schmitz	Ulland, J.
Bernhagen	Hanson	Nichols	Setzepfandt	Vega
Brataas	Humphrey	Olhoft	Sieloff	Wegener
Chmielewski	Keefe, J.	Olson	Solon	Willet
Davies	Kirchner	Omann	Spear	
Dunn	Knaak	Peterson	Strand	

So the bill failed to pass.

S. F. No. 1843: A bill for an act relating to transportation; establishing a state rail bank for abandoned rail lines; amending Minnesota Statutes 1978, Chapter 222, by adding a section; Minnesota Statutes, 1979 Supplement, Sections 174.03, Subdivision 4; 222.50, Subdivision 7; and 222.65.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 59 and nays 2, as follows:

Those who voted in the affirmative were:

Ashbach	Frederick	Knoll	Olson	Spear
Bang	Gearty	Knutson	Omann	Staples
Barrette	Gunderson	Laufenburger	Penny	Stern
Benedict	Hanson	Lessaard	Peterson	Stokowski
Bernhagen	Hughes	Luther	Pillsbury	Strand
Brataas	Humphrey	Menning	Purfeerst	Tennessen
Chmielewski	Jensen	Merriam	Renneke	Ueland, A.
Coleman	Johnson	Moe	Rued	Ulland, J.
Davies	Keefe, J.	Nelson	Schmitz	Vega
Dieterich	Keefe, S.	Nichols	Setzepfandt	Wegener
Dunn	Kirchner	Ogdahl	Sieloff	Willet
Engler	Kleinbaum	Olhoft	Solon	

Messrs. McCutcheon and Stumpf voted in the negative.

So the bill passed and its title was agreed to.

S. F. No. 1887: A bill for an act relating to taxation; redefining "family farm corporation" for purposes of the agricultural prop-

erty tax law; amending Minnesota Statutes 1978, Section 273.111, Subdivision 3.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 60 and nays 3, as follows:

Those who voted in the affirmative were:

Ashbach	Gunderson	Knutson	Olson	Solon
Bang	Hanson	Laufenburger	Omann	Spear
Barrette	Hughes	Lessard	Penny	Staples
Benedict	Humphrey	Luther	Peterson	Stern
Bernhagen	Jensen	McCutcheon	Pillsbury	Stokowski
Brataas	Johnson	Menning	Purfeerst	Strand
Chmielewski	Keefe, J.	Merriam	Renneke	Stumpf
Coleman	Keefe, S.	Moe	Rued	Ueland, A.
Dunn	Kirchner	Nelson	Schmitz	Ulland, J.
Engler	Kleinbaum	Nichols	Setzepfandt	Vega
Frederick	Knaak	Ogdahl	Sieloff	Wegener
Gearty	Knoll	Olhoff	Sillers	Willet

Messrs. Davies, Dieterich and Tennesen voted in the negative.

So the bill passed and its title was agreed to.

S. F. No. 1719: A bill for an act relating to taxation; changing settlement dates for property taxes; amending Minnesota Statutes 1978, Sections 276.09; 276.10; and 276.11.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 60 and nays 0, as follows:

Those who voted in the affirmative were:

Ashbach	Frederick	Knutson	Olson	Solon
Bang	Gearty	Laufenburger	Omann	Spear
Barrette	Gunderson	Lessard	Penny	Staples
Benedict	Hanson	Luther	Peterson	Stern
Bernhagen	Hughes	McCutcheon	Pillsbury	Stokowski
Brataas	Jensen	Menning	Purfeerst	Strand
Chmielewski	Johnson	Merriam	Renneke	Stumpf
Coleman	Keefe, J.	Moe	Rued	Tennesen
Davies	Kirchner	Nelson	Schmitz	Ulland, J.
Dieterich	Kleinbaum	Nichols	Setzepfandt	Vega
Dunn	Knaak	Ogdahl	Sieloff	Wegener
Engler	Knoll	Olhoff	Sillers	Willet

So the bill passed and its title was agreed to.

S. F. No. 1675: A bill for an act relating to taxation; clarifying the provisions of the wetland credit for property tax purposes; providing a property tax exemption and credit for native prairie; providing for payment to the county for revenue lost by the exemption and credit; appropriating money; amending Minnesota Statutes 1978, Chapter 273, by adding a section; and Minnesota

Statutes, 1979 Supplement, Sections 272.02, Subdivision 1; 273.115, Subdivisions 1, 2, 5, 6, and by adding a subdivision.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 63 and nays 0, as follows:

Those who voted in the affirmative were:

Ashbach	Gearty	Knutson	Omann	Staples
Bang	Gunderson	Laufenburger	Penny	Stern
Barrette	Hanson	Lessard	Peterson	Stokowski
Benedict	Hughes	Luther	Pillsbury	Strand
Bernhagen	Humphrey	McCutcheon	Purfeerst	Stumpf
Brataas	Jensen	Menning	Renneke	Tennessen
Chmielewski	Johnson	Merriam	Rued	Ueland, A.
Coleman	Keefe, J.	Moe	Schmitz	Ulland, J.
Davies	Keefe, S.	Nelson	Setzepfandt	Vega
Dieterich	Kirchner	Nichols	Sieloff	Wegener
Dunn	Kleinbaum	Ogdahl	Sillers	Willet
Engler	Knaak	Olhoft	Solon	
Frederick	Knoll	Olson	Spear	

So the bill passed and its title was agreed to.

S. F. No. 1875: A bill for an act relating to commerce; providing for ownership rights in dies and molds under certain conditions.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 61 and nays 0, as follows:

Those who voted in the affirmative were:

Ashbach	Gearty	Lessard	Peterson	Stokowski
Bang	Hanson	Luther	Pillsbury	Strand
Barrette	Hughes	McCutcheon	Purfeerst	Stumpf
Benedict	Humphrey	Menning	Renneke	Tennessen
Bernhagen	Jensen	Merriam	Rued	Ueland, A.
Brataas	Johnson	Moe	Schmitz	Ulland, J.
Chmielewski	Keefe, J.	Nelson	Setzepfandt	Vega
Coleman	Keefe, S.	Nichols	Sieloff	Wegener
Davies	Kleinbaum	Ogdahl	Sillers	Willet
Dieterich	Knaak	Olhoft	Solon	
Dunn	Knoll	Olson	Spear	
Engler	Knutson	Omann	Staples	
Frederick	Laufenburger	Penny	Stern	

So the bill passed and its title was agreed to.

S. F. No. 1863: A bill for an act relating to courts; raising the jurisdictional limit for conciliation court; providing for additional clerk and administrator duties in conciliation court; providing for a procedure to assist in collection of conciliation court judgments; changing certain deadlines; providing penalties; amending Minnesota Statutes 1978, Sections 487.30, Subdivision 1, and by adding a subdivision; 488A.12, Subdivision 3; 488A.13, Subdivision 2; 488A.14, Subdivisions 4 and 5; 488A.16, Subdivisions 2, 5, 6 and 8;

488A.17, Subdivisions 2 and 3; 488A.29, Subdivision 3; 488A.30, Subdivision 2; 488A.31, Subdivisions 4 and 5; 488A.33, Subdivisions 2, 5, 7 and 8; and 488A.34, Subdivisions 2 and 12.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 63 and nays 0, as follows:

Those who voted in the affirmative were:

Ashbach	Gearty	Knutson	Omann	Staples
Bang	Gunderson	Laufenburger	Penny	Stern
Barrette	Hanson	Lessard	Peterson	Stokowski
Benedict	Hughes	Luther	Pillsbury	Strand
Bernhagen	Humphrey	McCutcheon	Purfeerst	Stumpf
Brataas	Jensen	Menning	Renneke	Tennessee
Chmielewski	Johnson	Merriam	Rued	Ueland, A.
Coleman	Keefe, J.	Moe	Schmitz	Ulland, J.
Davies	Keefe, S.	Nelson	Setzepfandt	Vega
Dieterich	Kirchner	Nichols	Sieloff	Wegener
Dunn	Kleinbaum	Ogdahl	Sillers	Willet
Engler	Knaak	Olhoft	Solon	
Frederick	Knoll	Olson	Spear	

So the bill passed and its title was agreed to.

S. F. No. 597: A bill for an act relating to motor vehicles; requiring an identification number on vehicles used in enforcing highway traffic safety regulations; amending Minnesota Statutes 1978, Section 169.98, Subdivision 1.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 62 and nays 1, as follows:

Those who voted in the affirmative were:

Ashbach	Gearty	Knutson	Penny	Stern
Bang	Gunderson	Laufenburger	Peterson	Stokowski
Barrette	Hanson	Lessard	Pillsbury	Strand
Benedict	Hughes	Luther	Purfeerst	Stumpf
Bernhagen	Humphrey	Menning	Renneke	Tennessee
Brataas	Jensen	Merriam	Rued	Ueland, A.
Chmielewski	Johnson	Moe	Schmitz	Ulland, J.
Coleman	Keefe, J.	Nelson	Setzepfandt	Vega
Davies	Keefe, S.	Nichols	Sieloff	Wegener
Dieterich	Kirchner	Ogdahl	Sillers	Willet
Dunn	Kleinbaum	Olhoft	Solon	
Engler	Knaak	Olson	Spear	
Frederick	Knoll	Omann	Staples	

Mr. McCutcheon voted in the negative.

So the bill passed and its title was agreed to.

S. F. No. 1311: A bill for an act relating to metropolitan government; removing the city of Northfield from definition of metropolitan areas; adding the city of Northfield to region ten; amend-

ing Minnesota Statutes 1978, Sections 473.121, Subdivision 2; 473.123, Subdivision 3; 473.403; 473F.02, Subdivisions 2 and 8.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 62 and nays 1, as follows:

Those who voted in the affirmative were:

Ashbach	Gearty	Knutson	Omann	Stern
Bang	Gunderson	Laufenburger	Penny	Stokowski
Barrette	Hanson	Lessard	Peterson	Strand
Benedict	Hughes	Luther	Pillsbury	Stumpf
Bernhagen	Humphrey	McCutcheon	Purfeerst	Tennessen
Brataas	Jensen	Menning	Renneke	Ueland, A.
Chmielewski	Johnson	Merriam	Rued	Ulland, J.
Coleman	Keefe, J.	Moe	Setzepfandt	Vega
Davies	Keefe, S.	Nelson	Sieloff	Wegener
Dieterich	Kirchner	Nichols	Sillers	Willet
Dunn	Kleinbaum	Ogdahl	Solon	
Engler	Knaak	Olhoft	Spear	
Frederick	Knoll	Olson	Staples	

Mr. Schmitz voted in the negative.

So the bill passed and its title was agreed to.

S. F. No. 1740: A bill for an act relating to local public employees; increasing the amount of severance pay which may be given to certain employees; improving some of the language in a severance pay law; amending Minnesota Statutes, 1979 Supplement, Section 465.72.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 60 and nays 0, as follows:

Those who voted in the affirmative were:

Bang	Gunderson	Knutson	Olson	Spear
Barrette	Hanson	Laufenburger	Omann	Staples
Benedict	Hughes	Lessard	Penny	Stern
Bernhagen	Humphrey	Luther	Peterson	Stokowski
Brataas	Jensen	McCutcheon	Pillsbury	Strand
Chmielewski	Johnson	Menning	Purfeerst	Stumpf
Davies	Keefe, J.	Merriam	Renneke	Tennessen
Dieterich	Keefe, S.	Moe	Rued	Ueland, A.
Dunn	Kirchner	Nelson	Schmitz	Ulland, J.
Engler	Kleinbaum	Nichols	Sieloff	Vega
Frederick	Knaak	Ogdahl	Sillers	Wegener
Gearty	Knoll	Olhoft	Solon	Willet

So the bill passed and its title was agreed to.

S. F. No. 789: A bill for an act relating to commerce; registering and regulating continuing care facilities; providing a lien; providing for disclosure; providing a penalty; amending Minnesota Statutes 1978, Section 82.18.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 63 and nays 0, as follows:

Those who voted in the affirmative were:

Aashbach	Gearty	Knutson	Omann	Staples
Bang	Gunderson	Laufenburger	Penny	Stern
Barrette	Hanson	Lessard	Peterson	Stokowski
Benedict	Hughes	Luther	Pillsbury	Strand
Bernhagen	Humphrey	McCutcheon	Purfeerst	Stumpf
Brataas	Jensen	Menning	Renneke	Tennessen
Chmielewski	Johnson	Merriam	Rued	Ueland, A.
Coleman	Keefe, J.	Moe	Schmitz	Ulland, J.
Davies	Keefe, S.	Nelson	Setzepfandt	Vega
Dieterich	Kirchner	Nichols	Sieloff	Wegener
Dunn	Kleinbaum	Ogdahl	Sillers	Willet
Engler	Knaak	Olhoff	Solon	
Frederick	Knoll	Olson	Spear	

So the bill passed and its title was agreed to.

S. F. No. 1707: A bill for an act relating to towns; requiring a majority of voters to permit town zoning; clarifying the ballot question; requiring hearing and notice before certain actions; requiring notice of changes; amending Minnesota Statutes 1978, Sections 366.11; 366.12; 366.13; and 366.15.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 62 and nays 0, as follows:

Those who voted in the affirmative were:

Aashbach	Gearty	Laufenburger	Penny	Stern
Bang	Gunderson	Lessard	Peterson	Stokowski
Barrette	Hanson	Luther	Pillsbury	Strand
Benedict	Hughes	McCutcheon	Purfeerst	Stumpf
Bernhagen	Humphrey	Menning	Renneke	Tennessen
Brataas	Jensen	Merriam	Rued	Ueland, A.
Chmielewski	Johnson	Moe	Schmitz	Ulland, J.
Coleman	Keefe, J.	Nelson	Setzepfandt	Vega
Davies	Keefe, S.	Nichols	Sieloff	Wegener
Dieterich	Kirchner	Ogdahl	Sillers	Willet
Dunn	Kleinbaum	Olhoff	Solon	
Engler	Knaak	Olson	Spear	
Frederick	Knutson	Omann	Staples	

So the bill passed and its title was agreed to.

S. F. No. 1811: A bill for an act relating to transportation; excluding minor pipeline relocations from certain easement or right-of-way agreement provisions; amending Minnesota Statutes, 1979 Supplement, Section 1161.01, Subdivision 2.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 63 and nays 0, as follows:

Those who voted in the affirmative were:

Ashbach	Gearly	Knutson	Omann	Staples
Bang	Gunderson	Laufenburger	Penny	Stern
Barrette	Hanson	Lessard	Peterson	Stokowski
Benedict	Hughes	Luther	Pillsbury	Strand
Bernhagen	Humphrey	McCutcheon	Purfeerst	Stumpf
Brataas	Jensen	Menning	Renneke	Tennesen
Chmielewski	Johnson	Merriam	Rued	Ueland, A.
Coleman	Keefe, J.	Moe	Schmitz	Ulland, J.
Davies	Keefe, S.	Nelson	Setzepfandt	Vega
Dieterich	Kirchner	Nichols	Sieloff	Wegener
Dunn	Kleinbaum	Ogdahl	Sillers	Willet
Engler	Knaak	Olhoft	Solon	
Frederick	Knoll	Olson	Spear	

So the bill passed and its title was agreed to.

S. F. No. 1921: A bill for an act relating to the city of Moorhead; increasing the amount which the city may expend for public transportation services; amending Laws 1969, Chapter 192, Section 1.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 63 and nays 0, as follows:

Those who voted in the affirmative were:

Ashbach	Gearly	Knutson	Omann	Staples
Bang	Gunderson	Laufenburger	Penny	Stern
Barrette	Hanson	Lessard	Peterson	Stokowski
Benedict	Hughes	Luther	Pillsbury	Strand
Bernhagen	Humphrey	McCutcheon	Purfeerst	Stumpf
Brataas	Jensen	Menning	Renneke	Tennesen
Chmielewski	Johnson	Merriam	Rued	Ueland, A.
Coleman	Keefe, J.	Moe	Schmitz	Ulland, J.
Davies	Keefe, S.	Nelson	Setzepfandt	Vega
Dieterich	Kirchner	Nichols	Sieloff	Wegener
Dunn	Kleinbaum	Ogdahl	Sillers	Willet
Engler	Knaak	Olhoft	Solon	
Frederick	Knoll	Olson	Spear	

So the bill passed and its title was agreed to.

S. F. No. 2067: A bill for an act relating to motor vehicles; increasing the maximum interest rate on certain loans under the Motor Vehicle Retail Installment Sales Act; amending Minnesota Statutes 1978, Section 168.72.

With the unanimous consent of the Senate, Mr. Penny moved to amend S. F. No. 2067 as follows:

Page 2, line 27, delete "1" and insert "31"

Page 2, line 32, after the period, insert "A motor vehicle retail installment sale contract that provides for a time price differential authorized by this subdivision continues to be enforceable in accordance with its terms until the indebtedness is fully satisfied."

The motion prevailed. So the amendment was adopted.

S. F. No. 2067 was read the third time, as amended, and placed on its final passage.

The question was taken on the passage of the bill, as amended.

The roll was called, and there were yeas 59 and nays 4, as follows:

Those who voted in the affirmative were:

Aashbach	Gearly	Knutson	Penny	Staples
Bang	Gunderson	Laufenburger	Peterson	Stern
Barrette	Hanson	Lessard	Pillsbury	Stokowski
Benedict	Hughes	Menning	Purfeerst	Strand
Bernhagen	Humphrey	Merriam	Renneke	Stumpf
Brataas	Jensen	Moe	Rued	Tennessee
Chmielewski	Keefe, J.	Nelson	Schmitz	Ueland, A.
Coleman	Keefe, S.	Nichols	Setzepfandt	Ulland, J.
Davies	Kirchner	Ogdahl	Sieloff	Vega
Dunn	Kleinbaum	Olhoff	Sillers	Wegener
Engler	Knaak	Olson	Solon	Willet
Frederick	Knoll	Omann	Spear	

Messrs. Dieterich, Johnson, Luther and McCutcheon voted in the negative.

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

S. F. No. 2077: A bill for an act relating to interest; regulating rates of interest on loans for business and agricultural transactions; removing certain deficiencies and ambiguities; amending Minnesota Statutes, 1979 Supplement, Section 334.011, Subdivision 1.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 59 and nays 3, as follows:

Those who voted in the affirmative were:

Aashbach	Gearly	Knutson	Penny	Staples
Bang	Gunderson	Laufenburger	Peterson	Stern
Barrette	Hanson	Lessard	Pillsbury	Stokowski
Benedict	Hughes	Luther	Purfeerst	Strand
Bernhagen	Humphrey	Menning	Renneke	Stumpf
Brataas	Jensen	Merriam	Rued	Tennessee
Chmielewski	Keefe, J.	Moe	Schmitz	Ueland, A.
Coleman	Keefe, S.	Nelson	Setzepfandt	Ulland, J.
Davies	Kirchner	Ogdahl	Sieloff	Vega
Dunn	Kleinbaum	Olhoff	Sillers	Wegener
Engler	Knaak	Olson	Solon	Willet
Frederick	Knoll	Omann	Spear	

Messrs. Dieterich, Johnson and McCutcheon voted in the negative.

So the bill passed and its title was agreed to.

S. F. No. 978: A bill for an act relating to banks and trust companies; allowing substitution of certain banks and trust companies in fiduciary capacities maintained by certain banks and trust companies.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 63 and nays 0, as follows:

Those who voted in the affirmative were:

Ashbach	Gearty	Knutson	Omann	Staples
Bang	Gunderson	Laufenburger	Penny	Stern
Barrette	Hanson	Lessard	Peterson	Stokowski
Benedict	Hughes	Luther	Pillsbury	Strand
Bernhagen	Humphrey	McCutcheon	Purfeerst	Stumpf
Brataas	Jensen	Menning	Renneke	Tennessen
Chmielewski	Johnson	Merriam	Rued	Ueland, A.
Coleman	Keefe, J.	Moe	Schmitz	Ulland, J.
Davies	Keefe, S.	Nelson	Setzepfandt	Vega
Dieterich	Kirchner	Nichols	Sieloff	Wegener
Dunn	Kleinbaum	Ogdahl	Sillers	Willet
Engler	Knaak	Olhoff	Solon	
Frederick	Knoll	Olson	Spear	

So the bill passed and its title was agreed to.

S. F. No. 1813: A bill for an act relating to mobile homes; permitting the sale of mobile homes from a residence; amending Minnesota Statutes 1978, Section 327.55, Subdivision 1.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 63 and nays 0, as follows:

Those who voted in the affirmative were:

Ashbach	Gearty	Knutson	Omann	Staples
Bang	Gunderson	Laufenburger	Penny	Stern
Barrette	Hanson	Lessard	Peterson	Stokowski
Benedict	Hughes	Luther	Pillsbury	Strand
Bernhagen	Humphrey	McCutcheon	Purfeerst	Stumpf
Brataas	Jensen	Menning	Renneke	Tennessen
Chmielewski	Johnson	Merriam	Rued	Ueland, A.
Coleman	Keefe, J.	Moe	Schmitz	Ulland, J.
Davies	Keefe, S.	Nelson	Setzepfandt	Vega
Dieterich	Kirchner	Nichols	Sieloff	Wegener
Dunn	Kleinbaum	Ogdahl	Sillers	Willet
Engler	Knaak	Olhoff	Solon	
Frederick	Knoll	Olson	Spear	

So the bill passed and its title was agreed to.

RECONSIDERATION

Mr. Hughes moved that the vote whereby S. F. No. 1573 failed to pass the Senate on March 11, 1980, be now reconsidered. The motion prevailed.

Mr. Hughes moved that S. F. No. 1573, on the Calendar, be stricken and placed at the top of General Orders. The motion prevailed.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Tennessen moved that H. F. No. 1789 be withdrawn from the Committee on Commerce and re-referred to the Committee on Rules and Administration for comparison with S. F. No. 1818 now on the Calendar. The motion prevailed.

RECONSIDERATION

Mr. Spear moved that the vote whereby S. F. No. 1658 failed to pass the Senate on March 12, 1980, be now reconsidered. The motion prevailed.

Mr. Spear moved that S. F. No. 1658, on the Calendar, be stricken and placed at the top of General Orders. The motion prevailed.

NOTICE OF RECONSIDERATION

Mr. Olhoft gave notice of intention to move for reconsideration of S. F. No. 1732.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Knutson moved that his name be stricken as chief author, added as co-author and Mr. Solon be shown as chief author to S. F. No. 1770. The motion prevailed.

Mr. Coleman moved that the Senate do now adjourn until 10:00 o'clock a.m., Thursday, March 13, 1980. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate