

EIGHTY-SECOND DAY

St. Paul, Minnesota, Wednesday, March 19, 1980

The Senate met at 1:00 o'clock p.m. and was called to order by the President.

CALL OF THE SENATE

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

| | | | | |
|-------------|-----------|---------|-------------|------------|
| Ashbach | Engler | Knaak | Penny | Stokowski |
| Bang | Frederick | Menning | Pillsbury | Stumpf |
| Barrette | Gearty | Merriam | Purfeerst | Ueland, A. |
| Bernhagen | Hanson | Moe | Renneke | Ulland, J. |
| Brataas | Jensen | Nelson | Rued | Wegener |
| Chmielewski | Johnson | Nichols | Setzepfandt | Willet |
| Coleman | Keefe, S. | Olhoft | Sillers | |
| Davies | Kirchner | Omann | Stern | |

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

Prayer was offered by the Chaplain, Senator Emery Barrette.

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

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

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

Mr. Hughes was excused from the Session of today. Mr. Stern was excused from this evening's Session from 8:00 to 9:00 o'clock p.m.

INTRODUCTION AND FIRST READING OF SENATE BILLS

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

Messrs. Sieloff, Frederick, Omann, Mrs. Knaak and Mr. Engler introduced—

S. F. No. 2393: A bill for an act relating to taxation; increasing the homestead base value; changing percentages for certain property tax classifications; providing an additional property tax refund for certain homeowners; appropriating money; amending Minnesota Statutes 1978, Section 290A.04, by adding a subdivision; Minnesota Statutes, 1979 Supplement, Sections 273.122 and 273.13, Subdivisions 4, 6, 7, and 19.

Referred to the Committee on Taxes and Tax Laws.

Mr. Moe, for the Committee on Finance, introduced—

S. F. No. 2394: A bill for an act relating to public improvements; authorizing alteration, repair, rehabilitation, equipping, and replacement of equipment of public buildings with certain conditions; authorizing purchase and sale of public lands and buildings; appropriating money.

Under the rules of the Senate, laid over one day.

Mr. Moe, for the Committee on Finance, introduced—

S. F. No. 2395: A bill for an act relating to public improvements; authorizing the acquisition and betterment of public land and buildings and other public improvements of a capital nature with certain conditions; authorizing issuance of state bonds; appropriating money, amending Minnesota Statutes 1978, Section 174.50, Subdivision 1.

Under the rules of the Senate, laid over one day.

Messrs. Willet, Moe, Lessard, Wegener and Rued introduced—

S. F. No. 2396: A resolution memorializing the United States Congress to support the efforts of the Mississippi Headwaters Board to protect the Upper Mississippi River.

Referred to the Committee on Rules and Administration.

EXECUTIVE AND OFFICIAL COMMUNICATIONS

March 17, 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 Acts of the 1980 Session of the State Legislature have been received from the Office of the Governor and are deposited in the Office of the Secretary of State for preservation, pursuant to the State Constitution, Article IV, Section 23:

| S. F. No. | H. F. No. | Session Laws Chapter No. | Date Approved 1980 | Date Filed 1980 |
|--------------|--------------|-----------------------------|-----------------------|--------------------|
| 482 | | 352 | March 17 | March 17 |
| 693 | | 353 | March 17 | March 17 |
| 998 | | 354 | March 17 | March 17 |

Sincerely,

Joan Anderson Growe,
Secretary of State

March 19, 1980

The Honorable Edward J. Gearty
President of the Senate

Dear Sir:

I have the honor of informing you that I have received, approved, signed and deposited in the Office of the Secretary of State, S. F. Nos. 1010, 1215 and 951.

Sincerely yours,
Albert H. Quie, Governor

MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to announce the passage by the House of the following Senate Files, herewith returned: S. F. Nos. 1187, 1188 and 1311.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 18, 1980

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, AS AMENDED by the House, in which amendments the concurrence of the Senate is respectfully requested:

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.

Senate File No. 2040 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 18, 1980

CONCURRENCE AND REPASSAGE

Mr. Sillers moved that the Senate concur in the amendments by the House to S. F. No. 2040 and that the bill be placed on its repassage as amended. The motion prevailed.

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

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

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

The roll was called, and there were yeas 55 and nays 2, as follows:

Those who voted in the affirmative were:

| | | | | |
|-------------|--------------|----------|-------------|------------|
| Ashbach | Gunderson | Luther | Pillsbury | Staples |
| Bang | Hanson | Menning | Purfeerst | Stern |
| Barrette | Humphrey | Moe | Renneke | Stokowski |
| Benedict | Jensen | Nelson | Rued | Strand |
| Bernhagen | Johnson | Ogdahl | Schaaf | Stumpf |
| Brataas | Keefe, S. | Olhoft | Schmitz | Tennessen |
| Chmielewski | Kirchner | Olson | Setzepfandt | Ueland, A. |
| Coleman | Knaak | Omann | Sikorski | Ulland, J. |
| Dieterich | Knutson | Penny | Sillers | Vega |
| Frederick | Laufenburger | Perpich | Solon | Wegener |
| Gearty | Leasard | Peterson | Spear | Willet |

Messrs. Davies and Merriam voted in the negative.

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

MESSAGES FROM THE HOUSE—CONTINUED

Mr. President:

I have the honor to announce the passage by the House of the following House Files, herewith transmitted: H. F. Nos. 1884, 1896, 1899, 1963, 2019, 753, 2314, 2191, 1190, 1706, 1727, 1534, 1916 and 2369.

Edward A. Burdick, Chief Clerk, House of Representatives
Transmitted March 18, 1980

FIRST READINGS OF HOUSE BILLS

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

H. F. No. 1884: A bill for an act relating to education; modifying rule making procedures and the tuition exemption authority of the state university board; allowing a change in the placement service registration fee at state universities; modifying a visitation and reporting duty of the state university board; eliminating a reporting duty of state university presidents; eliminating a provision governing state university rules which conflict with the provisions of certain collective bargaining contracts; amending Min-

nesota Statutes 1978, Sections 136.11, Subdivisions 1 and 8; and 136.14; repealing Minnesota Statutes 1978, Sections 136.148 and 136.15.

Referred to the Committee on Rules and Administration for comparison with S. F. No. 1788 now on General Orders.

H. F. No. 1896: A bill for an act relating to juveniles; establishing criteria for reference of certain juveniles for prosecution; requiring written findings and conclusions after reference hearings; providing monitoring by the crime control planning board; amending Minnesota Statutes 1978, Section 260.125, by adding subdivisions.

Referred to the Committee on Rules and Administration for comparison with S. F. No. 2149 now in the Subcommittee on Bill Scheduling.

H. F. No. 1899: A bill for an act relating to the office of secretary of state; adjusting certain fees collected by that office; making them more uniform; amending Minnesota Statutes 1978, Sections 47.16; 53.01; 221.67; 303.13, Subdivision 1; 308.06, Subdivision 4; 317.04, Subdivision 3; 317.67; 540.152; and 543.08.

Referred to the Committee on Rules and Administration for comparison with S. F. No. 1654 now on General Orders.

H. F. No. 1963: A bill for an act relating to claims against the state; appropriating money for the payment thereof.

Referred to the Committee on Rules and Administration for comparison with S. F. No. 1778 now in the Subcommittee on Bill Scheduling.

H. F. No. 2019: A bill for an act relating to education; the maximum effort school aid law; changing the definition of "maximum effort debt service levy"; authorizing the sale of bonds for the maximum effort school loan fund; appropriating money; amending Minnesota Statutes 1978, Sections 124.38, Subdivision 7; 124.43, Subdivisions 1 and 2.

Referred to the Committee on Finance.

H. F. No. 753: 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.

Referred to the Committee on Rules and Administration for comparison with S. F. No. 1909 now on General Orders.

H. F. No. 2314: A bill for an act relating to the legislative auditor; clarifying access to data; amending Minnesota Statutes 1978, Section 3.97, by adding subdivisions.

Referred to the Committee on Rules and Administration for

comparison with S. F. No. 2385 now in the Subcommittee on Bill Scheduling.

H. F. No. 2191: A bill for an act relating to unemployment compensation; including certain services as within definition of employment; providing for the noncharging of certain benefits; regulating accounts of successor employers; regulating reimbursements; providing for deductions from benefits; clarifying a certain disqualification from benefits; regulating employer protests; regulating certain interest charges and penalties; providing for adjustments; amending Minnesota Statutes 1978, Sections 268.06, Subdivisions 25, 26 and 28; 268.10, Subdivision 1; 268.16, Subdivisions 1, 2 and 6; and Minnesota Statutes, 1979 Supplement, Sections 268.04, Subdivision 12; 268.06, Subdivisions 5, 22 and 33; 268.08, Subdivision 3; and 268.09, Subdivision 1.

Referred to the Committee on Rules and Administration for comparison with S. F. No. 1721 now on General Orders.

H. F. No. 1190: A bill for an act relating to transportation; requiring the consent of municipalities for certain trunk highway improvements; authorizing the commissioner of transportation to convey or otherwise dispose of certain lands no longer needed for trunk highway purposes; authorizing the commissioner to lease airspace above and subsurface areas below trunk highway right-of-way; adding new routes to the trunk highway system, and adding new routes in substitution of existing routes; discontinuing and removing Route No. 327 from the trunk highway system; permitting certain equipment to use crossovers between the main line roadways of controlled access highways when operating within a marked construction zone; modifying the availability of federal reimbursements deposited in the state treasury and appropriated to the federal-state safety account; prohibiting depositing snow or ice on a highway; excluding minor relocations of pipelines caused by highway construction from the definition of construction; modifying the procedures for approval of plats which include lands abutting trunk highways; amending Minnesota Statutes 1978, Sections 160.27, Subdivision 5; 161.172; 161.23, Subdivision 2; 161.43; 161.433, Subdivision 1; 161.44, Subdivision 1; 161.51; 169.305, Subdivision 1; 169.42, Subdivision 1; 505.03, Subdivision 2; and Minnesota Statutes, 1979 Supplement, Section 116I.01, Subdivision 2.

Referred to the Committee on Rules and Administration for comparison with S. F. No. 1940 now in the Subcommittee on Bill Scheduling.

H. F. No. 1706: A bill for an act relating to transportation; providing for a travel information franchise program, and prescribing the powers and duties of the commissioner of transportation in relation thereto; amending Minnesota Statutes 1978, Sections 160.08, Subdivision 7; 161.23, Subdivision 3; 161.433, Subdivision 2; and 161.434.

Referred to the Committee on Transportation.

H. F. No. 1727: A bill for an act relating to family; providing that natural parents may obtain a copy of an adopted child's original birth certificate; allowing parents ten days to revoke consent to adoption; providing a pre-adoption residency of three months; amending Minnesota Statutes 1978, Sections 144.218, Subdivision 1; 144.225, Subdivision 2; 259.24, Subdivision 5, and by adding a subdivision; 259.25, Subdivision 1, and by adding a subdivision; 259.27, Subdivision 4; and Chapter 259, by adding a section; repealing Minnesota Statutes, 1979 Supplement, Sections 259.24, Subdivision 6; and 259.25, Subdivision 2.

Referred to the Committee on Rules and Administration for comparison with S. F. No. 2348 now on General Orders.

H. F. No. 1534: A bill for an act relating to real estate; increasing certain fees charged by the county recorder and registrar of titles; providing that the county recorder be notified of deferred assessments; amending Minnesota Statutes 1978, Sections 273.111, Subdivision 11; 357.18, Subdivision 1; 375.14; 429.061, Subdivision 2; 462.358, by adding a subdivision; and 508.82.

Referred to the Committee on Rules and Administration for comparison with S. F. No. 1549 now on General Orders.

H. F. No. 1916: A bill for an act relating to motor vehicles; providing for the registration and taxation of certain vehicles for a period of less than 12 months under certain circumstances; amending Minnesota Statutes 1978, Sections 168.013, Subdivision 6; and 168.017, Subdivision 3.

Referred to the Committee on Taxes and Tax Laws.

H. F. No. 2369: A bill for an relating to Minnesota Statutes; correcting erroneous, ambiguous, omitted and obsolete references and text; eliminating certain redundant, conflicting and superseded provisions; reenacting a law; amending Minnesota Statutes 1978, Sections 15.052, Subdivision 9; 16.851, Subdivision 1; 16A.26; 25.31; 25.32; 25.33, Subdivisions 1 and 5; 25.34, Subdivision 3; 25.36; 25.40; 25.41, Subdivisions 1 and 5; 25.42; 25.43; 25.44; 28A.15, Subdivision 4; 89.35; 89.36, Subdivision 1; 89.39; 93.45, Subdivision 2; 111.21, Subdivision 1; 112.46; 116.02, Subdivision 2; 116.16, Subdivision 2; 116C.65; 116H.06; 120.17, Subdivision 9; 122.531, Subdivision 2; 123.42; 124.212, Subdivision 8a; 124.46, Subdivision 3; 125.12, Subdivision 4; 126.41, Subdivision 2; 128A.04; 136.148; 136.501; 136.503, Subdivision 1; 136.506; 144.225, Subdivision 1; 144A.01, Subdivision 5; 144A.10, Subdivision 1; 144A.24; 145.22; 147.073, Subdivision 1; 161.171, Subdivision 5; 161.173; 162.02, Subdivision 11; 168B.02, Subdivisions 1 and 2; 168B.05; 168B.07, Subdivision 2; 168B.08, Subdivision 3; 169.751; 169.99, Subdivision 3; 179.61; 179.62; 179.63, Subdivisions 1 and 4; 179.65, Subdivision 1; 179.66, Subdivisions 5, 6 and 9; 179.67, Subdivision 1; 179.68; 179.71, Subdivisions 2, 4 and 5; 179.74, Subdivision 2; 181.12; 197.17; 202A.61; 238.01; 238.02, Subdivisions 1 and 4; 238.03; 238.04, Subdivision 9; 238.06, Subdivision

2; 238.08, Subdivision 4; 238.10; 238.16, Subdivision 2; 241.08, Subdivision 2; 241.44, Subdivision 1a; 242.37; 243.07; 243.12; 245.813, Subdivision 9; 256.09; 256.736, Subdivision 3; 256.76, Subdivision 2; 256.78; 256D.10; 256D.13; 260.251, Subdivision 3; 268.013, Subdivision 6; 296.01, Subdivision 1; 296.11; 296.15, Subdivision 2; 296.17, Subdivisions 1 and 5; 296.19; 296.20; 296.24; 301.511, Subdivision 2; 325.01, Subdivision 1; 325.907, Subdivision 1; 326.33, Subdivision 1; 333.055, Subdivision 2; 340.07, Subdivision 11; 340.11, Subdivision 9; 340.12; 340.14, Subdivision 5; 352.116; 352.1191; 352E.01, Subdivision 1; 352E.04; 352E.045; 354.44, Subdivision 5; 359.07, Subdivision 2; 360.018, Subdivisions 7 and 9; 363.02, Subdivision 3; 365.22; 367.33, Subdivision 3; 387.-45; 390.23; 394.24, Subdivision 3; 394.25, Subdivision 5a; 401.02, Subdivision 1; 412.251; 419.07; 419.075, Subdivision 2; 422A.06, Subdivision 2; 422A.11, Subdivision 1; 429.061, Subdivision 1; 435.191; 440.40; 459.14, Subdivision 7; 462.352, Subdivision 10; 462.36, Subdivision 1; 465.56, Subdivision 2; 471.591, Subdivision 1; 473.163, Subdivision 3; 473.223; 473F.02, Subdivision 21; 474.-02, Subdivision 1b; 485.018, Subdivision 4; 485.021; 505.178, Subdivision 2; 525.72; 546.10; 626.556, Subdivision 11; 628.41, Subdivision 6; Chapter 390, by adding a section; Minnesota Statutes, 1979 Supplement, Sections 10A.01, Subdivision 11; 62A.02, Subdivision 3; 69.771, Subdivision 1; 179.74, Subdivision 4; 256B.06, Subdivision 1; 273.73, Subdivision 6; 273.76, Subdivision 2; 273.-77; 273.86, Subdivision 4; 275.125, Subdivision 9; 290.06, Subdivisions 3g and 14; 326.211, Subdivision 9; 354A.094, Subdivisions 2, 3, 8, and by adding a subdivision; 354A.38, Subdivision 3; 402.01, Subdivision 1; 424A.06, Subdivision 2; 462A.22, Subdivision 1a; 519.11, Subdivision 1; 549.09, Subdivision 1; 626.556, Subdivision 2; Laws 1979, Chapters 134, Section 2; 333, Sections 26, and 31, Subdivision 3; 335, Section 3, Subdivision 20; and reenacting Laws 1979, Chapter 303, Article I, Section 14; repealing Minnesota Statutes 1978, Sections 239.27; 325.01, Subdivisions 8, 9, 10, 11 and 12; 354A.22, as amended by Laws 1979, Chapter 334, Article VII, Sections 23 to 26; 390.33, Subdivision 7; Laws 1976, Chapters 155, Section 1; 222, Sections 30 and 31; 348, Section 15; Laws 1977, Chapter 323, Section 1; Laws 1979, Chapters 31, Section 2; 217, Section 11; and 316, Section 11.

Referred to the Committee on Rules and Administration for comparison with S. F. No. 2317 now on General Orders.

REPORTS OF COMMITTEES

Mr. Coleman moved that the Committee Reports at the Desk be now adopted, with the exception of the report on S. F. No. 2346, and reports pertaining to appointments. The motion prevailed.

Mr. Purfeerst from the Committee on Transportation, to which was referred

S. F. No. 2292: A bill for an act relating to regional railroad authorities; providing for their organization and governmental purpose, powers and duties.

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

Mr. Purfeerst from the Committee on Transportation, to which was referred

H. F. No. 1272: A bill for an act relating to aeronautics; excluding parachutes and parachuting from the jurisdiction of the department of transportation; amending Minnesota Statutes 1978, Section 360.013, Subdivisions 2, 3 and 11.

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

Mr. Purfeerst from the Committee on Transportation, to which was referred

H. F. No. 1742: A bill for an act relating to highway traffic regulations; authorizing pickup trucks used for certain purposes to draw two trailers under certain circumstances and within limited areas; amending Minnesota Statutes 1978, Section 169.81, by adding a subdivision.

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

Mr. Purfeerst from the Committee on Transportation, to which was referred

S. F. No. 2341: A bill for an act relating to highway traffic regulations; including a constable within the meaning of the definition of peace officer in the implied consent law; amending Minnesota Statutes 1978, Section 169.123, Subdivision 1.

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

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

S. F. No. 2331: A bill for an act relating to children; establishing a photographic state adoption exchange; requiring certain children to be listed on the exchange; 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. Willet from the Committee on Agriculture and Natural Resources, to which was referred

H. F. No. 1684: A bill for an act relating to state lands; providing for the conveyance of certain land to the city of Virginia.

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

Page 1, line 10, after "Minnesota," insert "for the purpose of providing student housing,"

Page 2, line 6, after the period, insert "If the property ceases to be used for student housing, title to the property will revert to the state."

Page 2, after line 9, insert:

"Sec. 2. The governor, upon the recommendation of the commissioner of administration, shall transfer and convey, without monetary consideration, by quitclaim deed in a form the attorney general approves, to the city of Thief River Falls, Minnesota, for the purposes of providing student housing, a tract of state-owned land now under the control of but no longer needed for the operation of Northland Community College, which tract is described as follows:

A parcel of land which is part of government lot 9 of section 27, Township 154 North, Range 43 West of the 5th Prime Meridian bounded as follows:

Commencing at the point of intersection of the northerly 75 feet right-of-way line of Minnesota trunk highway No. 1 and the East line of said government lot 9: thence on an assumed bearing of North 00 degrees 00 minutes West along the said East line a distance of 175 feet to the point of beginning; thence North 90 degrees 00 minutes West a distance of 235 feet, thence North a distance of 55 feet thence West a distance of 200 feet, thence South 00 degrees 00 minutes East to the said northerly 75 feet right-of-way line of Minnesota trunk highway No. 1; thence southeasterly along said right-of-way line to a point which lies North 90 degrees 00 minutes West a distance of 135 feet from the said East line of government lot 9: thence North 00 degrees 00 minutes West to a point which lies North 90 degrees 00 minutes West a distance of 135 feet from the point of beginning; thence North 90 degrees 00 minutes East a distance of 135 feet to the point of beginning.

Subject to an easement for utilities over the southerly 30 feet of the West 250 feet of the above described parcel. If the property ceases to be used for student housing, title to the property will revert to the state.

The attorney general may provide a more accurate description of the property subject to this act if he decides it is appropriate."

Page 2, line 10, delete "shall be" and insert "is"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 3, delete "city" and insert "cities"

Page 1, line 3, after "Virginia" insert "and Thief River Falls"

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

Mr. McCutcheon from the Committee on Taxes and Tax Laws, to which was referred

S. F. No. 2128: A bill for an act relating to taxation; clarifying the apportionment of income from taconite producers to Minnesota; amending Minnesota Statutes 1978, Section 298.40, by adding a subdivision.

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

Page 1, line 8, delete "Section 298.40" and insert "Chapter 298"

Page 1, line 9, delete "subdivision" and insert "section"

Page 1, line 10, delete "*Subd. 4.*" and insert "[298.401] [APPORTIONMENT OF INCOME.]" and after "*to*" insert "*section 298.40,*"

Amend the title as follows:

Page 1, line 4, delete "Section 298.40" and insert "Chapter 298"

Page 1, line 5, delete "subdivision" and insert "section"

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

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

H. F. No. 1873: A bill for an act relating to local government in Ramsey county; providing for the membership and dues of the Ramsey county league of local governments; amending Laws 1963, Chapter 728, Section 1, as amended.

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

Page 2, line 1, strike "*such*"

Page 2, line 14, strike "*such*" and insert "*the*"

Page 2, line 15, reinstate the stricken language and delete "*be*"

Page 2, line 30, strike "*such*" and insert "*the*"

Page 3, line 8, strike "*such*"

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

Mr. McCutcheon from the Committee on Taxes and Tax Laws, to which was referred

S. F. No. 2116: A bill for an act proposing an amendment to the Minnesota Constitution, Article X, Section 6; removing restrictions upon the power to tax the mining, production or beneficiation of copper, copper-nickel or nickel.

Reports the same back with the recommendation that the bill

do pass and be re-referred to the Committee on Judiciary. Report adopted.

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

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.

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

Page 1, delete section 1

Page 4, after line 22, insert:

"Sec. 4. [EFFECTIVE DATE.] This act is effective the day following final enactment."

Renumber the sections in sequence

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

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

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.

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

Page 7, delete section 9

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 8, after "508.79;" insert "and"

Page 1, line 9, delete "and 541.024, Subdivision 1;"

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

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

H. F. No. 1985: A bill for an act relating to municipal electric power; permitting municipal power agencies to contract and do

business with foreign entities; amending Minnesota Statutes 1978, Section 453.52, Subdivision 9.

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

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

H. F. No. 567: A bill for an act relating to privacy of communications; permissible monitoring; amending Minnesota Statutes 1978, Section 626A.02, Subdivision 2.

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

Page 1, lines 21 and 22, delete the new language and insert a period

Page 2, lines 1 to 4, delete the new language and insert "*Until July 31, 1982, any communication common carrier that utilizes service observing or random monitoring pursuant to this subdivision shall accompany the monitoring with a beep or electronic tone at 15 second intervals to inform parties of the monitoring and shall publish in each telephone directory a notice of the purpose and effect of the beep or electronic tone*"

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

Mr. Laufenburger from the Committee on Employment, to which was referred

S. F. No. 1753: A bill for an act relating to labor; regulating certain steam engines and boilers and steam engine and boiler operators; amending Minnesota Statutes 1978, Chapter 183, by adding a section.

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

Page 1, line 16, after "boilers" insert "*when used only for demonstration purposes*"

Page 1, line 17, after "years" insert "*according to law*"

Page 1, line 17, delete everything after the period

Page 1, delete line 18

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. 1876: A bill for an act relating to financial institutions; excluding certain loans made by credit unions in calculating

outstanding loans and risk assets for reserve fund purposes; amending Minnesota Statutes 1978, Section 52.17.

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

Page 2, line 18, strike the old language and delete the new language

Page 2, lines 19 to 21, delete the new language and insert "The following"

Page 2, line 23, before the period insert "*: loans to other credit unions; loans fully secured by a pledge of savings in the lending credit union equal to and maintained to at least the amount of the loan outstanding; loans which are purchased or acquired from liquidating or merging credit unions and guaranteed by an insurance corporation pursuant to section 52.24; loans insured or guaranteed by the United States or the state of Minnesota, any agency or instrumentality of the United States or the state of Minnesota, to the amount of the insurance or guarantee*"

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. 2295: A bill for an act relating to insurance; increasing the maximum limits on the insuring or reinsuring of a single risk of certain companies; defining a term; amending Minnesota Statutes 1978, Section 60A.09, Subdivision 1, and by adding a subdivision.

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. 1735: A bill for an act relating to courts; tenth judicial district; authorizing two additional judges; authorizing appointment of a law clerk for each district court judge; amending Minnesota Statutes 1978, Sections 2.722, Subdivision 1; and 484.545, Subdivision 1.

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

Pages 1 and 2, delete section 1

Page 3, after line 14, insert:

"Sec. 2. [EFFECTIVE DATE.] *This act is effective the day following final enactment.*"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 3, delete "authorizing two additional judges;"

Page 1, line 5, delete "Sections" and insert "Section"

Page 1, line 6, delete "2.722, Subdivision 1; and"

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. 2346: A bill for an act relating to alcoholic beverages; increasing the age for licensing, sale, consumption, possession and furnishing; amending Minnesota Statutes 1978, Sections 340.02, Subdivision 8; 340.035, Subdivision 1; 340.119, Subdivision 2; 340.13, Subdivision 12; 340.403, Subdivision 3; 340.73, Subdivision 1; 340.731; 340.78; 340.79; 340.80; and 340.81.

Reports the same back with the recommendation that the bill do pass. Mr. Coleman questioned the reference thereon and, under Rule 35, the bill was referred to the Committee on Rules and Administration.

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

S. F. No. 2338: A bill for an act relating to zoning; providing for notice of hearings; changing notice provisions for variance hearings; amending Minnesota Statutes 1978, Section 394.26, Subdivision 2.

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

Page 2, line 10, reinstate "within 500 feet of the affected property"

Page 2, line 12, delete "of"

Page 2, delete line 13

Page 2, line 14, delete "*affected property*"

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

Mr. Purfeerst from the Committee on Transportation, to which was referred

S. F. No. 2097: A bill for an act creating an interim study commission on transportation financing; prescribing its powers and duties; appropriating money.

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

Page 1, after line 6, insert:

"Section 1. Minnesota Statutes 1978, Section 174.03, is amended by adding a subdivision to read:

Subd. 5a. [BIENNIAL REQUEST.] The metropolitan transit commission shall submit all biennial legislative funding requests to the commissioner of transportation for informal review. The commissioner shall determine whether the funding request is consistent with the statewide transportation plan and whether further review of the request by the metropolitan transit commission is necessary. The metropolitan transit commission shall be informed of the commissioner's comments and recommendations in writing, and shall have the opportunity to amend the request. The funding request, as amended, shall then be presented by the commissioner to the legislature along with the commissioner's final comments and recommendations.

Sec. 2. Minnesota Statutes 1978, Section 174.50, Subdivision 1, is amended to read:

174.50 [MINNESOTA STATE TRANSPORTATION FUND.]
Subdivision 1. State assistance is needed to supplement local effort and the highway user tax distribution fund in financing capital improvements to preserve and develop a balanced transportation system throughout the state. Such A balanced transportation system is a proper function and concern of state government and necessary to protect the safety and personal and economic welfare of all citizens. It requires capital expenditures for public facilities, improvements, and equipment that are complementary, additional, and alternate to the state, county, and municipal highway and street systems financed pursuant to article XIV of the constitution, and are a proper object for contracting public debt and engaging in works of internal improvement under Article XI, section 5, clause (a). Reasons for the expenditures are to prevent obstructions of highway traffic, to harmonize state and local systems with the requirements of the federal interstate highway system, to avoid harmful environmental impact of arterial highways on urban, scenic, and recreational areas, and to reduce the number of private motor vehicles on highways. Capital expenditures of this nature exceed requirements for basic highway systems and should be funded from sources other than the taxes and bonds authorized in article XIV. However, improvements financed by the capital expenditures on routes of trunk highways, county state-aid highways, and municipal state-aid streets alleviate the burden and facilitate the flow of traffic on the routes and tend to reduce the cost of maintenance to the minimum required to accommodate the traffic. Therefore it is determined that the cost of maintenance of these systems, including the improvements, may and shall continue to be paid from taxes authorized in article XIV. Immediate improvement needs are reconstruction and replacement of key bridges and approaches to remove obstructions to the flow of traffic on state and county highways, municipal streets and township roads; and expediting the completion of the interstate highway system in Minnesota by paying the state and local shares of interstate highway segments, and interstate highway substitution projects when approved by the United States secretary of transportation, the governor and the regional councils and local government units responsible.

Sec. 3. Minnesota Statutes 1978, Section 299D.02, Subdivision 1, is amended to read:

299D.02 [TRANSFER OF POWERS.] Subdivision 1. All the powers and duties of the commissioner of transportation with reference to the state highway patrol and the nationwide police communication system not heretofore provided for and enumerated in Minnesota Statutes 1967, Sections 161.48 and 161.49, are hereby transferred to and imposed upon the commissioner of public safety. In conjunction with the transfer persons in the classified service of the state who shall be transferred pursuant to section 15.015, subdivision 5, there shall be transferred to the department of public safety the personnel who are presently serving as radio dispatchers for the highway patrol. Such classified employees serving as highway patrol radio dispatchers shall continue to be paid from the trunk highway fund.

Sec. 4. Minnesota Statutes 1978, Section 299D.04, is amended to read:

299D.04 [NATIONWIDE POLICE COMMUNICATION SYSTEM.] The commissioner of public safety may enter into the necessary agreements and purchase the necessary equipment for participation in a nationwide police communication system. All costs of participation in such the system by the highway patrol chargeable to the state of Minnesota shall be paid from the general fund in the state treasury credited with fines and forfeited bail money.

Sec. 5. Minnesota Statutes 1978, Section 299D.05, Subdivision 3, is amended to read:

Subd. 3. [COST TO BE PAID OUT OF TRUNK HIGHWAY FUND.] The cost of the land acquisition, the construction, operation, and maintenance of the radio repeater station provided for herein in this section shall be paid out of the trunk highway general fund.

Sec. 6. Minnesota Statutes 1978, Section 473.408, is amended by adding a subdivision to read:

Subd. 8. The commission shall, on July 1 of each year beginning July 1, 1981, establish annual fares for its regular route bus service program. The fares shall not be changed or adjusted before July 1 of the next succeeding year.

Sec. 7. Minnesota Statutes 1978, Section 473.435, is amended to read:

473.435 [BUDGET PREPARATION; SUBMISSION.] The commission shall prepare, submit and adopt a budget in the manner provided in, and otherwise comply with, the provisions of section 473.163 and section 1 of this act.

Sec. 8. Minnesota Statutes, 1979 Supplement, Section 473.436, Subdivision 5, is amended to read:

Subd. 5. [BUS PURCHASES AND OTHER IMPROVE-

MENTS.] In addition to obligations outstanding on July 1, 1977 January 1, 1980, the commission may issue certificates of indebtedness, bonds or other obligations in an amount not exceeding \$9,000,000 for the purposes of purchasing buses and related equipment, and constructing maintenance and other buildings, bus shelters and road related improvements.

Sec. 9. Minnesota Statutes, 1979 Supplement, Section 473.446, Subdivision 1, is amended to read:

473.446 [TRANSIT TAX LEVIES.] Subdivision 1. [AMOUNT.] For the purposes of Sections 473.401 to 473.451 and the metropolitan transit system, the metropolitan transit commission shall levy each year upon all taxable property within the metropolitan transit taxing district, defined herein in this section, a transit tax consisting of:

(a) An amount equal to ~~1.72~~ 2.0 mills times the assessed value of all such property, the proceeds of which shall be used for payment of the expenses of operating regular route bus service;

(b) An additional amount, if any, as the commission determines to be necessary to provide for the full and timely payment of its certificates of indebtedness and other obligations outstanding on July 1, 1977, to which property taxes under this section have been pledged; and

(c) An additional amount necessary to provide full and timely payment of certificates of indebtedness, bonds, or other obligations issued pursuant to section 1 for purposes of acquisition and betterment of property and other improvements of a capital nature and to which the commission has specifically pledged tax levies under this clause.

Sec. 10. Minnesota Statutes 1978, Chapter 171, is amended by adding a section to read:

[171.261] [FINANCING OF DRIVER'S LICENSE DIVISION.] *All costs of salaries, equipment, maintenance, operation and administration of the driver's license division shall be paid from the general fund pursuant to legislative appropriation.*

Sec. 11. Minnesota Statutes 1978, Chapter 299D, is amended by adding a section to read:

[299D.08] [FINANCING OF DIVISION OF HIGHWAY PATROL.] *All costs of salaries, equipment, maintenance, operation and administration of the division of highway patrol in the department of public safety shall be paid from the general fund pursuant to legislative appropriation.*

Sec. 12. [AUTHORIZATION OF STATE TRANSPORTATION BONDS.] *The commissioner of finance upon request of the governor shall issue and sell Minnesota state transportation bonds in the aggregate principal amount of \$25,000,000 for the purpose and upon the conditions provided in Minnesota Statutes, Section 174.51, and article XI of the constitution. The proceeds of the bonds, except premium and accrued interest, are appropriated to*

and shall be deposited in the Minnesota state transportation fund for expenditure in accordance with section 13 and Minnesota Statutes, Section 174.50.

Sec. 13. [APPROPRIATIONS.] *\$25,000,000, or a lesser amount determined to be needed, is appropriated from the Minnesota state transportation fund to the commissioner of transportation to pay the state's share of the cost of construction of the interstate highway system in Minnesota in cooperation with the United States secretary of transportation, including the state and local share of a transit or highway project for service of urbanized and connecting corridors in unurbanized areas which is approved by the secretary, the governor, and the regional councils and local government units responsible, in substitution for interstate routes withdrawn from the areas.*

Sec. 14. Subdivision 1. [RAIL AND NINE TON ROAD SURVEY.] *The commissioner of transportation shall conduct a survey of communities within the state in order to determine:*

(a) Which communities are not adequately being served by either rail access or nine ton roads;

(b) The costs of upgrading roads to either nine or ten ton capacity in those communities which are not adequately serviced; and

(c) Any other information concerning the possible improvement and revitalization of transportation services to those communities which the commissioner deems relevant.

Subd. 2. [FINAL REPORT.] *The commissioner shall submit his findings, conclusions and recommendations to the legislature, including written and oral presentations, to the appropriate standing committees, no later than January 6, 1981.*

Sec. 15. [APPROPRIATION.] *The sum of \$5,000 is appropriated from the general fund to the commissioner of transportation for the purposes of section 14, and is available for expenditure until January 6, 1981.*

Sec. 16. [STATE TRANSPORTATION BONDS; ISSUANCE AND SALE.] *The commissioner of finance shall, upon the request of the commissioner of transportation, issue and sell Minnesota state transportation bonds for the purposes provided in Minnesota Statutes, Section 174.51, Subdivision 1, in the aggregate principal amount of \$50,000,000 in the manner and upon the conditions prescribed in Minnesota Statutes, Section 174.51, and in Article XI of the Minnesota Constitution. The proceeds of the bonds, except as provided in Minnesota Statutes, Section 174.51, Subdivision 5, shall be deposited in the Minnesota state transportation fund for expenditure in accordance with section 17, subdivision 1, and Minnesota Statutes, Section 174.50.*

Sec. 17. [APPROPRIATION.] *Subdivision 1. \$50,000,000, or a lesser amount determined to be needed, is appropriated from the Minnesota state transportation fund to the department of trans-*

portation to be expended by the commissioner of transportation for construction and reconstruction of rural roads to either nine or ten ton capacity in those communities which are not adequately serviced by those roads on the state transportation system. The appropriation shall not lapse, but shall remain available until expended."

Page 3, after line 2 insert:

"Sec. 19. [RELEASE OF FUNDS.] Notwithstanding other laws or interagency agreements to the contrary, the commissioner of transportation shall immediately release the unencumbered balance remaining in the performance funding and social fare reimbursement grants accounts as appropriated in Extra Session Laws 1979, Chapter 1, to the metropolitan transit commission for its regular route bus service program for the biennium ending June 30, 1981. The metropolitan transit commission shall continue to fulfill its obligations as provided in sections 174.24, subdivision 4, and 174.28.

Sec. 20. [APPROPRIATION.] In addition to the amounts appropriated for transit assistance grants in Extra Session Laws 1979, Chapter 1, the sum of \$5,000,000 is appropriated to the commissioner of transportation for the purpose of providing financial assistance to the metropolitan transit commission for its regular route bus service program. This amount shall be exclusive of, and in addition to, the performance funding payments received by the commission. This appropriation is available for expenditures until June 30, 1981."

Renumber the sections in sequence

Underline all new language in the bill

Amend the title as follows:

Page 1, delete lines 2 to 4 and insert:

"relating to transportation; creating an interim study commission on transportation; financing the divisions of highway patrol and driver's license from the general fund; authorizing the issuance and sale of Minnesota state transportation bonds for certain purposes; requiring the commissioner of transportation to conduct a survey of certain communities to determine certain information; providing grants for certain purposes; increasing the tax levy and borrowing authority of the metropolitan transit commission; modifying certain duties and report requirements of the metropolitan transit commission; appropriating money; amending Minnesota Statutes 1978, Sections 174.03, by adding a subdivision; 174.50, Subdivision 1; 299D.02, Subdivision 1; 299D.04; 299D.05, Subdivision 3; 473.408, by adding a subdivision; 473.435; Chapters 171, by adding a section; and 299D, by adding a section; Minnesota Statutes, 1979 Supplement, Sections 473.436, Subdivision 5; and 473.446, Subdivision 1."

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

Mr. Laufenburger from the Committee on Employment, to which was referred the following appointment as reported in the Journal for February 11, 1980:

WORKERS' COMPENSATION COURT OF APPEALS

James R. Otto

Reports the same back to the Senate without recommendation.

Mr. Coleman moved that the foregoing committee report be laid on the table. The motion prevailed.

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

H. F. Nos. 1834, 1824 and 2024 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. |
| 1834 | 2220 | | | | |
| 1824 | 1763 | | | | |
| 2024 | 2059 | | | | |

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. 2187 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. |
| 2187 | 2152 | | | | |

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H. F. No. 2187 be amended as follows:

Page 1, line 9, delete "highways" and insert "transportation"

And when so amended H. F. No. 2187 will be identical to S. F. No. 2152, and further recommends that H. F. No. 2187 be given its second reading and substituted for S. F. No. 2152, 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.

SECOND READING OF SENATE BILLS

S. F. Nos. 2341, 2128, 1753, 1876, 2295, 1735 and 2338 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. 1985, 1834, 1824, 2024 and 2187 were read the second time.

H. F. Nos. 1272, 1742, 1684, 1873, 1286, 1956 and 567 were read the second time and referred to the Subcommittee on Bill Scheduling of the Committee on Rules and Administration.

MOTIONS AND RESOLUTIONS

Mr. McCutcheon moved that the name of Mr. Stokowski be stricken as chief author and that his name be shown as chief author to S. F. No. 883. The motion prevailed.

Mr. Bang moved that the name of Mr. Stumpf be added as co-author to S. F. No. 1749. The motion prevailed.

Mr. Schmitz moved that H. F. No. 2152 be withdrawn from the Committee on Local Government and re-referred to the Committee on Rules and Administration for comparison with S. F. No. 2119 now on General Orders. The motion prevailed.

S. F. No. 801 and the Conference Committee Report thereon were reported to the Senate.

CONFERENCE COMMITTEE REPORT ON S. F. NO. 801

A bill for an act relating to non-alcoholic beverages; requiring laboratory examination of certain beverages; deleting registration exemption for identified beverages; amending Minnesota Statutes 1978, Section 34.05, Subdivision 1; repealing Minnesota Statutes 1978, Section 34.05, Subdivision 2.

March 11, 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. 801, report that we have agreed upon the items in dispute and recommend as follows:

That the House recede from its amendment.

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

Senate Conferees: (Signed) Howard A. Knutson, William P. Luther, Gerald L. Willet

House Conferees: (Signed) Douglas W. Carlson, Elton R. Redalen, George L. Mann, Henry J. Kalis

Mr. Knutson moved that the foregoing recommendations and Conference Committee Report on S. F. No. 801 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. 801 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 58 and nays 0, as follows:

Those who voted in the affirmative were:

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

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

CALENDAR

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.

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

So the bill passed and its title was agreed to.

H. F. No. 711: A bill for an act relating to highway traffic regulations; authorizing physician's trained mobile intensive care paramedics to withdraw blood for the purpose of determining the presence of alcohol or controlled substances under the implied consent law; amending Minnesota Statutes 1978, Section 169.123, 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 58 and nays 1, as follows:

Those who voted in the affirmative were:

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

Mr. Gunderson voted in the negative.

So the bill passed and its title was agreed to.

S. F. No. 1903: A bill for an act relating to energy; modifying certain planning and zoning statutes to remove barriers to biomass energy production; prohibiting the destruction of certain biomass usable as fuel; amending Minnesota Statutes, 1979 Supplement, Sections 394.25, Subdivision 3; and 394.27, Subdivision 7; 462.357, Subdivisions 1 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 61 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

S. F. No. 1995: A bill for an act relating to municipal industrial revenue bonds; providing for reports; amending Minnesota Statutes 1978, Chapter 474, by adding a section.

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

So the bill passed and its title was agreed to.

H. F. No. 1601: A bill for an act relating to political parties; allowing members of political party committees and delegates to party conventions to take certain leave time from employment; providing penalties; amending Minnesota Statutes 1978, Chapter 202A, by adding a section.

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 58 and nays 4, as follows:

Those who voted in the affirmative were:

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

Messrs. Barrette, Sieloff, Tennessen and Ulland, J. voted in the negative.

So the bill passed and its title was agreed to.

S. F. No. 1797: A bill for an act relating to the Minnesota zoological garden; supplementing and clarifying the authority of

the zoological garden board in regard to penalties for rule violations; regulating the use of the name or mark of the garden; providing penalties; amending Minnesota Statutes 1978, Section 85A.02, Subdivision 7; and Chapter 333, by adding sections.

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

So the bill passed and its title was agreed to.

H. F. No. 1427: A bill for an act relating to banks; raising the amount of an employee loan possible without prior board approval; amending Minnesota Statutes 1978, Section 48.08.

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

Mrs. Knaak voted in the negative.

So the bill passed and its title was agreed to.

H. F. No. 1623: A bill for an act relating to insurance; providing for the operation of the Minnesota life and health insurance guaranty association; correcting certain oversights and ambiguities; making certain improvements; amending Minnesota Statutes 1978,

Sections 61B.02, Subdivision 1; 61B.05, by adding a subdivision; 61B.07, Subdivisions 1, 2, 3 and 7; and 61B.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 61 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

S. F. No. 1985: A bill for an act relating to municipal industrial development; requiring consideration of certain policy matters; defining projects; amending Minnesota Statutes 1978, Section 474.02, Subdivision 1b; and Minnesota Statutes, 1979 Supplement, Section 474.01, Subdivision 7a.

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

So the bill passed and its title was agreed to.

S. F. No. 2094: A bill for an act relating to game and fish; excluding bears from the definition of fur bearing animals; requiring licenses of persons providing guide services for bear hunters; specifying fees; requiring tagging of bears taken in the state; providing for free fishing licenses for certain mentally retarded

and disabled residents; extending the muskrat trapping season; changing the times of day during which certain wild animals may be taken; authorizing a season for taking sandhill cranes; regulating bear baiting; allowing sale of bear hides and claws; altering the end date of certain fishing seasons; allowing possession of dip nets under certain circumstances; amending Minnesota Statutes 1978, Sections 97.40, Subdivision 7; 98.46, Subdivisions 4, 16 and 22; 98.47, Subdivisions 15 and 16; 100.27, Subdivision 5; 100.29, Subdivisions 1 and 31; 100.30; 101.41, Subdivision 2; Minnesota Statutes, 1979 Supplement, Sections 100.27, Subdivision 4; and 101.42, Subdivision 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 51 and nays 12, as follows:

Those who voted in the affirmative were:

| | | | | |
|-------------|--------------|---------|-------------|------------|
| Ashbach | Hanson | Menning | Peterson | Stern |
| Barrette | Jensen | Merriam | Pillsbury | Stokowski |
| Bernhagen | Johnson | Moe | Renneke | Strand |
| Brataas | Kirchner | Nelson | Rued | Ueland, A. |
| Chmielewski | Kleinbaum | Nichols | Schaaf | Vega |
| Davies | Knaak | Ogdahl | Schmitz | Wegener |
| Dunn | Knutson | Olhoft | Setzepfandt | Willet |
| Engler | Laufenburger | Olson | Sieloff | |
| Frederick | Lessard | Omann | Sillers | |
| Gearty | Luther | Penny | Solon | |
| Gunderson | McCutcheon | Perpich | Staples | |

Those who voted in the negative were:

| | | | | |
|-----------|-----------|-----------|--------|------------|
| Bang | Humphrey | Purfeerst | Spear | Tennessen |
| Benedict | Keefe, S. | Sikorski | Stumpf | Ulland, J. |
| Dieterich | Knoll | | | |

So the bill passed and its title was agreed to.

S. F. No. 2109: A bill for an act relating to transportation; permitting establishment of toll bridges on county highways and county state aid highways; authorizing the issuance of revenue bonds to finance their cost; amending Minnesota Statutes 1978, Chapter 165, by adding a section.

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 23, as follows:

Those who voted in the affirmative were:

| | | | | |
|-------------|-----------|--------------|-----------|-------------|
| Bang | Gearty | Knutson | Omann | Setzepfandt |
| Benedict | Hanson | Laufenburger | Penny | Sillers |
| Bernhagen | Jensen | Menning | Peterson | Staples |
| Brataas | Johnson | Moe | Pillsbury | Stokowski |
| Chmielewski | Keefe, S. | Nelson | Purfeerst | Strand |
| Dunn | Kirchner | Nichols | Renneke | Ueland, A. |
| Engler | Kleinbaum | Ogdahl | Rued | Wegener |
| Frederick | Knaak | Olson | Schmitz | Willet |

Those who voted in the negative were:

| | | | | |
|-----------|------------|---------|----------|------------|
| Ashbach | Gunderson | Merriam | Sikorski | Tennessen |
| Barrette | Humphrey | Olhoft | Solon | Ulland, J. |
| Coleman | Knoll | Perpich | Spear | Vega |
| Davies | Luther | Schaaf | Stern | |
| Dieterich | McCutcheon | Sieloff | Stumpf | |

So the bill passed and its title was agreed to.

H. F. No. 1453: A bill for an act relating to retirement; authorizing payment of severance pay to retiring employees; validating past payments; amending Minnesota Statutes 1978, Section 356.24; and Minnesota Statutes, 1979 Supplement, Section 465.72.

Mr. Setzepfandt moved that H. F. No. 1453, No. 11 on the the Calendar, be stricken and placed at the top of General Orders. The motion prevailed.

CONSENT CALENDAR

H. F. No. 1778: A bill for an act relating to Independent School District No. 466; permitting the sale of certain land.

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

So the bill passed and its title was agreed to.

Without objection, the Senate reverted to the Order of Business of Motions and Resolutions.

MOTIONS AND RESOLUTIONS

Mr. Tennessen moved that H. F. No. 2122 be withdrawn from the Committee on Commerce and re-referred to the Committee on Rules and Administration for comparison with S. F. No. 2295 now in the Subcommittee on Bill Scheduling. The motion prevailed.

GENERAL ORDERS

The Senate resolved itself into a Committee of the Whole, with Mr. Gearty in the chair.

After some time spent therein, the committee arose, and Mr. Gearty reported that the committee had considered the following:

S. F. Nos. 2195, 1794, 1601, 1430, 1803, 336, 2074, 2184, 1964, 2042, 870, 2183, 2264, 1931, 1832, 1801, 1865, 1826, 1867 and H. F. Nos. 2287, 2222 and 924, which the committee recommends to pass.

S. F. No. 1732, which the committee recommends be re-referred to the Subcommittee on Bill Scheduling of the Committee on Rules and Administration.

S. F. No. 1208, which the committee recommends be re-referred to the Subcommittee on Bill Scheduling of the Committee on Rules and Administration.

S. F. No. 1332, which the committee recommends be re-referred to the Committee on Commerce.

S. F. No. 2288, which the committee recommends be returned to its author.

S. F. No. 2318, which the committee recommends be returned to its author.

S. F. No. 2231, which the committee recommends to pass with the following amendments offered by Messrs. Sikorski and Sillers:

Mr. Sikorski moved to amend S. F. No. 2231 as follows:

Page 2, line 15, reinstate "mental and"

Page 3, line 3, after "*retain the*" insert "*mental or*"

The motion prevailed. So the amendment was adopted.

Mr. Sikorski then moved to amend S. F. No. 2231 as follows:

Page 5, line 3, after "*Upon*" insert "*the*"

Page 5, line 4, after "*welfare,*" insert "*whichever is the appropriate employing authority, with the approval of the legislative advisory committee and with notification to and receipt of comments from the legislative commission on pensions and retirement,*"

Page 5, line 5, after "*certify*" insert "*additional civil service classifications at state adult correctional or security hospital facilities*"

Page 5, line 6, delete the comma

Page 5, line 7, delete "*appropriate new classifications*" and after "*as*" insert "*positions rendering*"

The motion prevailed. So the amendment was adopted.

Mr. Sillers moved to amend S. F. No. 2231 as follows:

Page 5, after line 8, insert:

"Sec. 6. [PENSION COVERAGE FOR MOORHEAD POLICE CHIEF.] *Notwithstanding Minnesota Statutes, Section 353.64, Subdivision 1, or any other general or special law to the contrary, the person employed by the city of Moorhead on the effective date of this act as chief of police shall be a member of the public employees police and fire fund established by Minnesota Statutes, Sections 353.63 to 353.68 and not of the local police relief association. Any employee contributions made to the local police relief association shall be transferred to the public employees police and fire fund. In addition an amount which together with the amount transferred is equal to the total employer and employee contributions pursuant to Minnesota Statutes, Section 353.65, which would have been required by the public employees police and fire fund during the period between initial employment as chief of police and the effective date of this act, shall be paid by the city into the public employees police and fire fund, which shall credit the chief of police with service as a member for this period only upon receipt of the required amounts."*

Page 5, line 9, delete "This act is" and insert "[EFFECTIVE DATE.] Sections 1 to 5 are" and after "1980." insert "Section 6 is effective upon approval by the Moorhead city council and upon compliance with Minnesota Statutes, Section 645.021."

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 2, after "retirement;" insert "public safety employee retirement funds;"

Page 1, line 3, after "retirement" insert "for the correctional employees retirement plan; Moorhead police chief; membership in the public employees police and fire fund"

The motion prevailed. So the amendment was adopted.

S. F. No. 2101, which the committee recommends to pass with the following amendment offered by Mr. Penny:

Page 3, line 4, delete the comma

Page 3, line 5, after "auditor" delete the comma

The motion prevailed. So the amendment was adopted.

S. F. No. 2190 which the committee reports progress, subject to the following motion:

Mr. Stumpf moved to amend S. F. No. 2190 as follows:

Page 1, line 13, delete "or" and insert a comma

Page 1, line 13, after "college" insert ", or professional school"

Page 1, line 20, delete "act" and insert "section"

Page 1, line 21, delete "act" and insert "section"

Page 2, after line 1, insert:

"Sec. 2. Laws 1955, Chapter 151, Section 1, Subdivision 5, as amended by Laws 1963, Chapter 271, Section 2, is amended to read:

Subd. 5. "~~Widow~~" "*Surviving spouse*" means a ~~woman person~~ who was the *wife spouse* of a member or a pensioner while he or ~~she~~ was an active member, and who, in case the deceased member was a service pensioner, deferred pensioner, ~~or on duty~~ or non duty disability pensioner, was married to the member at least one year before his ~~or her~~ retirement from the police department; but does not include a ~~surviving wife spouse~~ of a member or a pensioner who deserts him ~~or her~~ or a common law *wife spouse* of a member or a pensioner.

Sec. 3. Laws 1955, Chapter 151, Section 3, Subdivision 2, is amended to read:

Subd. 2. This association shall create, maintain, and administer a policemen's pension fund for the benefit of its members, their ~~widows surviving spouses~~, and their children.

Sec. 4. Laws 1955, Chapter 151, Section 13, as amended by Laws 1963, Chapter 271, Section 7, and Laws 1971, Chapter 549, Section 2, is amended to read:

Sec. 13. The association shall pay a pension to the ~~widow surviving spouse~~ or any child under 18 years of age of any pensioned and retired member, or to the *widow surviving spouse* or any child under 18 years of age of any member who dies while in the service of the city police department, or to the *widow surviving spouse* or any child under 18 years of age of any member who, after being a member of the city police department for not less than 20 years, severs his ~~or her~~ connection with the department, and dies before attaining the age of 50 years. The association shall pay to any such ~~widow surviving spouse~~ a pension of 20 units per month. The association shall pay to any such child under 18 years of age a pension of five units per month until the child attains the age of 18 years, provided, however, that if such child is married at the time of the death of the member or marries or becomes legally adopted after the death of the member, ~~such the~~ child shall not be entitled to such benefits. If the ~~widow surviving spouse~~ and children reside together, the pension payable to the children shall be paid to the *widow surviving spouse* and shall be used for the support of ~~such the~~ children. If a ~~widow surviving spouse~~ remarries, ~~her the~~ pension immediately ceases and the association shall not make any further pension payments ~~to her~~. For the purposes of this section, all provisions governing a child under 18 shall be extended to include a full time student under the age of 23.

Sec. 5. Laws 1955, Chapter 151, Section 16, is amended to read:

Sec. 16. [SURVIVING SPOUSE AND CHILD OF MEMBER CONVICTED OF FELONY.] If a member convicted of a felony is receiving a pension at the time of his conviction and his *wife or her surviving spouse* and any ~~of~~ his children under 18 years of age had no part in the commission of ~~such the~~ felony, in the event of the death of ~~such the~~ member, ~~such widow the surviving spouse~~ and children may receive ~~such any~~ pensions as they would otherwise be entitled to receive from the association."

Underline all new language in the bill

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 4, before the period, insert “; correcting gender references in the St. Paul police retirement law; amending Laws 1955, Chapter 151, Sections 1, Subdivision 5, as amended; 3, Subdivision 2; 13, as amended; and 16”

The motion prevailed. So the amendment was adopted.

S. F. No. 2190 was then progressed.

H. F. No. 1931 which the committee reports progress, subject to the following motion:

Mr. Sieloff moved to amend H. F. No. 1931 as follows:

Page 1, after line 6, insert:

“Section 1. Minnesota Statutes 1978, Section 550.37, is amended by adding subdivisions to read:

Subd. 21. Rights of action for injuries to the person of the debtor or of a relative whether or not resulting in death.

Subd. 22. The debtor's aggregate interest not to exceed in value \$4,000 in any accrued dividend or interest under or loan value of any unmaturing life insurance contract owned by the debtor under which the insured is the debtor or an individual of whom the debtor is a dependent.

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.”

Page 88, line 18, delete “This act” and insert “Section 2”

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 2, delete “Ramsey County” and insert “revision of laws”

Page 1, line 2, after the semicolon, insert “exempting certain insurance contracts, employee benefits and rights of action from garnishment or attachment;”

Page 1, line 3, after “amending” insert “Minnesota Statutes 1978, Section 550.37, by adding subdivisions; and”

The motion prevailed. So the amendment was adopted.

H. F. No. 1931 was then progressed.

S. F. No. 1636 which the committee reports progress, subject to the following motion:

Mr. Knoll moved to amend S. F. No. 1636 as follows:

Page 3, after line 30, insert:

"For the purposes of this section, "agency" shall have the meaning given to it in section 16.098, subdivision 1, clause (3)."

The motion prevailed. So the amendment was adopted.

S. F. No. 1636 was then progressed.

S. F. No. 2071, which the committee recommends to pass with the following amendment offered by Mr. Solon:

Page 2, after line 7, insert:

"Sec. 2. [EFFECTIVE DATE.] This act is effective the day following final enactment."

The motion prevailed. So the amendment was adopted.

H. F. No. 2135, which the committee recommends to pass with the following amendment offered by Mr. Dieterich:

Page 2, after line 17, insert:

"Sec. 2. [EFFECTIVE DATE.] Section 1 is effective the day following final enactment. Any grandparent, sister or brother being held responsible to contribute necessary care and support on that date is relieved of that responsibility thereafter, and any actions pending under Minnesota Statutes 1978, Section 256.87, Subdivision 1, on that date shall be changed to conform with section 1."

The motion prevailed. So the amendment was adopted.

S. F. No. 1997, which the committee recommends to pass with the following amendment offered by Mr. Johnson:

Page 3, after line 23, insert:

"Sec. 5. [COOK COUNTY; INDEPENDENT SCHOOL DISTRICT NO. 166; STEAM LINE CONSTRUCTION AGREEMENTS.] Subdivision 1. Notwithstanding the provisions of Minnesota Statutes, Chapter 373, 375, 471, 475, or any other law to the contrary, Independent School District No. 166 and the board of commissioners of Cook County may exercise the powers granted by this section.

Subd. 2. The school board of Independent School District No. 166 may sell excess steam from its existing wood fueled steam generating plant to any customer on the terms and conditions it deems reasonable.

Subd. 3. The school board and the board of commissioners of Cook County may make an agreement for the school district to furnish the excess steam from its existing wood fueled steam generating plant to Cook County for its public buildings on any terms and conditions and for any time agreed to by the parties.

The agreement may provide for separate or joint ownership and construction of a steam line and other necessary facilities to accomplish the purpose of the agreement. The parties may acquire the easements necessary to accomplish the purpose of the agreement by gift, lease, or purchase. The parties may finance the acquisition of the easements and construction projects by use of grants from outside sources or the unrestricted available funds of either party. The parties may agree that all or part of an expenditure made by one party for purposes of this section shall be reimbursed by the other party on the terms and conditions agreed to by the parties.

Sec. 6. [APPLICABILITY.] On its effective date, section 5 applies to Independent School District No. 166 and Cook County.

Sec. 7. [LOCAL APPROVAL.] Pursuant to Minnesota Statutes, Section 645.023, Subdivision 1, Clause (a), section 5 is effective without local approval the day following final enactment. Section 5 shall expire on January 1, 1982, if the agreement authorized by section 5, subdivision 3, has not been made by that date."

Page 3, line 24, delete "This act is" and insert "Sections 1 to 4 are"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 2, after "Austin" insert "and Cook County"

Page 1, line 4, after "program" insert "in the city of Austin; providing for steam line construction agreements for Cook County and Independent School District No. 166"

The motion prevailed. So the amendment was adopted.

S. F. No. 2136, which the committee recommends to pass, subject to the following motion:

Mr. Keefe, J. moved to amend S. F. No. 2136 as follows:

Page 1, line 11, delete "Thursday" and insert "second business day"

The motion prevailed. So the amendment was adopted.

Mr. Ulland, J. moved to amend S. F. No. 2136 as follows:

Page 1, after line 16, insert:

"Sec. 2. Minnesota Statutes 1978, Section 10A.27, is amended by adding a subdivision to read:

Subd. 9. No candidate shall permit his principal campaign committee to accept a contribution from a lobbyist registered in accordance with section 10A.03 at any time during an even-numbered calendar year before the adjournment sine die of the legislature, or at any time during an odd-numbered year before the closing recess of the legislature."

Amend the title as follows:

Page 1, line 3, after "ballots" insert "; clarifying campaign contribution requirements; amending Minnesota Statutes 1978, Section 10A.27, by adding a subdivision."

Mr. Keefe, S. questioned whether the Ulland, J. amendment was germane.

The Chair ruled that the amendment was not germane.

S. F. No. 2265, which the committee recommends to pass with the following amendment offered by Mr. Stern:

Page 1, after line 5, insert:

"Section 1. Minnesota Statutes 1978, Section 238.08, is amended by adding a subdivision to read:

Subd. 5. Municipalities may, by agreement under section 471.59, jointly prepare, grant and administer a franchise within a core service unit and extension areas. The adoption and granting of a franchise pursuant to this subdivision is deemed to comply with procedural requirements of statute or charter for the granting of a franchise, but all other municipal statutory and charter powers and limitations with regard to the franchise are not affected thereby."

Page 1, line 13, delete "This act" and insert "Section 2"

Page 1, after line 15, insert:

"Sec. 4. [EFFECTIVE DATE.] Section 1 is effective the day following final enactment."

Renumber the sections in sequence

Underline all new language in the bill

Amend the title as follows:

Page 1, line 2, delete "the city of Bloomington" and insert "municipalities; authorizing joint municipal franchising for cable communications "

Page 1, line 3, before the period, insert "by the city of Bloomington; amending Minnesota Statutes 1978, Section 238.08, by adding a subdivision"

The motion prevailed. So the amendment was adopted.

S. F. No. 2134, which the committee recommends to pass with the following amendment offered by Mr. Willet:

Page 5, line 2, after the period insert "*From the appropriation made by this section, the commissioner of natural resources may grant to the University of Minnesota an amount not to exceed \$150,000 for the purposes of conducting feasibility studies of hydroelectric power generation and engineering evaluations of dam safety.*"

The motion prevailed. So the amendment was adopted.

On motion of Mr. Coleman, the report of the Committee of the Whole, as kept by the Secretary, was adopted.

RECESS

Mr. Coleman moved that the Senate do now recess until 8:00 o'clock p.m. The motion prevailed.

The hour of 8:00 o'clock p.m. having arrived, the President called the Senate to order.

CALL OF THE SENATE

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

| | | | | |
|-------------|-----------|--------------|-------------|------------|
| Ashbach | Frederick | Knutson | Pillsbury | Strand |
| Bang | Gearty | Laufenburger | Rued | Stumpf |
| Barrette | Gunderson | Lessard | Schmitz | Tennessen |
| Benedict | Humphrey | Moe | Setzepfandt | Ueland, A. |
| Bernhagen | Johnson | Nichols | Sieloff | Ulland, J. |
| Brataas | Keefe, S. | Ogdahl | Solon | Vega |
| Chmielewski | Kirchner | Olhoft | Spear | Wegener |
| Coleman | Kleinbaum | Omann | Staples | Willet |
| Engler | Knaak | Perpich | Stokowski | |

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

MEMBERS EXCUSED

Mr. Anderson was excused from the Session of today. Messrs. Knoll and Purfeerst were excused from this evening's Session. Mr. Solon was excused from the Session of today at 10:00 o'clock p.m. Mr. Keefe, J. was excused from the Session of today from 1:00 to 4:00 o'clock p.m.

Without objection, the Senate reverted to the Order of Business of Introduction and First Reading of Senate Bills.

INTRODUCTION AND FIRST READING OF SENATE BILLS

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

Messrs. Peterson, Ogdahl, Strand, Schmitz and Renneke introduced—

S. F. No. 2397: A bill for an act relating to retirement; Minneapolis teachers retirement fund association; providing for an ad hoc post retirement adjustment to certain benefit recipients; increasing percentage automatic annual post retirement adjustments for active members; increasing member contribution rate; authorizing amendment of articles of incorporation.

Referred to the Committee on Governmental Operations.

Mr. Schaaf introduced—

S. F. No. 2398: A bill for an act relating to retirement; Fridley volunteer firefighters' relief association; authorizing increases in service pensions for retired members; authorizing membership of a retired member on the board of trustees of the relief association.

Referred to the Committee on Governmental Operations.

Messrs. Spear; Keefe, S. and Johnson introduced—

S. F. No. 2399: A bill for an act relating to banking; creating the bank of Minnesota.

Referred to the Committee on Commerce.

Mr. Moe, for the Committee on Finance, introduced—

S. F. No. 2400: A bill for an act relating to the organization and operation of state government; clarifying, providing for deficiencies in, and supplementing appropriations for the expenses of state government with certain conditions; appropriating money; amending Minnesota Statutes 1978, Sections 15.0597, Subdivisions 3, 4, 5, 6 and 7; 16.854, Subdivision 1; 16A.131; 16A.67, Subdivision 1; 97.431, Subdivision 4; 97.432; 174.03, by adding a subdivision; 155.14; 214.06, Subdivision 1; 256.73, Subdivision 2; 256D.06, by adding a subdivision; 403.11, Subdivision 3; 473.408, by adding a subdivision; 473.435; and Chapters 16, by adding a section; and 97, by adding a section; Minnesota Statutes, 1979 Supplement, Sections 3.3005, Subdivision 4; 16A.126; 138.92; 180.03, Subdivision 2; Laws 1979, Chapters 300, Section 4, Subdivisions 1 and 5; and 332, Article I, Section 115, Subdivision 2; repealing Minnesota Statutes, 1979 Supplement, Section 16.965.

Under the rules of the Senate, laid over one day.

Without objection, the Senate reverted to the Order of Business of Reports of Committees.

REPORTS OF COMMITTEES

Mr. Coleman from the Subcommittee on Bill Scheduling, to which were referred S. F. Nos. 2113, 2263, 1835, 2253, 2385, 2351, 1134, 1717 and H. F. Nos. 644, 1800, 1435, 1653, 1996, 2075 and 2374 makes the following report:

That the above Senate Files and House Files 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.

Mr. Coleman moved the adoption of the foregoing committee report. The motion prevailed. 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. 364: Messrs. McCutcheon, Willet and Sillers.

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

GENERAL ORDERS

The Senate resolved itself into a Committee of the Whole, with Mr. Gearty in the chair.

After some time spent therein, the committee arose, and Mr. Gearty reported that the committee had considered the following:

S. F. Nos. 1415, 1853, 1749, 1690, 1648, 2062 and 251, which the committee recommends to pass.

S. F. No. 2080, which the committee recommends be re-referred to the Subcommittee on Bill Scheduling of the Committee on Rules and Administration.

S. F. No. 2193, which the committee recommends to pass with the following amendment offered by Mr. Solon:

Page 3, line 9, after "lawful" insert "*and enforceable in accordance with its terms until the indebtedness is fully satisfied*"

The motion prevailed. So the amendment was adopted.

H. F. No. 1814, which the committee recommends to pass with the following amendment offered by Mr. Benedict:

Page 2, after line 27, insert:

"Sec. 2. [31.50] [LIABILITY OF FOOD DONORS.] *Subdivision 1. For the purposes of this section,*

"Distressed food" means, in addition to the definition in section 31.495, certain perishable foods, as defined in section 28A.03, which may not be readily marketable due to appearance, freshness, grade, surplus or other considerations and are not suspect of having been rendered unsafe or unsuitable for food use and are adequately labeled.

Subd. 2. A food manufacturer, distributor, processor or person who donates or collects distressed food to or for a charitable organization as defined in section 309.50, subdivision 4, for distribution at no charge to the elderly or needy, or who directly distributes distressed food to the elderly or needy at no charge, shall not be liable for any injury, including but not limited to injury resulting from the ingesting of the distressed food, unless the injury is caused by the gross negligence, recklessness or intentional misconduct of the food manufacturer, processor, distributor or person.

Subd. 3. A charitable organization as defined in section 309.50, subdivision 4, which in good faith collects or receives distressed food and distributes it at no charge to the elderly or needy shall not be liable for any injury, including but not limited to injury resulting from the ingesting of the distressed food, unless the injury is caused by the gross negligence, recklessness or intentional misconduct of the charitable organization.

Subd. 4. The provisions of this section shall not restrict the authority of the commissioner to regulate or ban the use or consumption of distressed food donated, collected or received for charitable purposes."

Amend the title as follows:

Page 1, line 3, after the semicolon insert "limiting liability of donors of distressed food;"

Mr. Bernhagen questioned whether the Benedict amendment was germane.

The Chair ruled that the amendment was germane.

The question was taken on the adoption of the amendment. The motion prevailed. So the amendment was adopted.

S. F. No. 2117, which the committee recommends to pass with the following amendment offered by Mr. Spear:

Page 2, line 1, reinstate "in"

Page 2, line 1, after the stricken "instalments" insert "installments"

Page 2, lines 2 to 4, reinstate the stricken language

Page 2, line 5, after the stricken "instalments" insert "installments" and reinstate ", including principal and interest,"

Page 2, line 5, after the stricken "such" insert "the"

Page 2, line 6, reinstate "to be payable monthly" and before "to" insert "installments"

Page 2, lines 6 and 7, delete the new language

Page 2, line 13, reinstate "as required"

Page 2, line 14, reinstate "by this clause"

Page 2, lines 18 to 22, delete the new language

Page 3, after line 14, insert:

"(5) Renegotiable rate notes or bonds secured by mortgages or trust deeds where the notes or bonds do not exceed 95 percent of the appraised value of the security for the same.

For the purposes of this clause, a renegotiable rate mortgage loan is a loan issued for a term of three years to five years, secured by a mortgage maturing in not to exceed 30 years, and automatically renewable at equal intervals after the original loan

term which may be up to 6 months shorter or longer than subsequent terms. The loan must be repayable in equal monthly installments of principal and interest during the loan term, in an amount at least sufficient to amortize a loan with the same principal and at the same interest rate over the remaining life of the mortgage.

In the mortgage documents, the savings bank must grant to the borrower an option to renew the loan for a new term, but not beyond the maturity date of the mortgage, at a new interest rate which shall be the savings bank's then current market rate of interest on similar loans. The option to renew the loan may be conditioned upon the borrower having consistently repaid principal and interest in a timely manner during the existing loan term. Interest rate increases are optional with the savings bank; net decreases from the previous loan term are mandatory.

The borrower may not be charged costs connected with the renewal of the loan, except for nominal costs of preparing and recording documents."

Page 3, delete section 2 and insert:

"Sec. 2. Minnesota Statutes 1978, Section 51A.02, is amended by adding a subdivision to read:

Subd. 4a. Pursuant to rules the commissioner finds necessary and proper "direct reduction loan" also means renegotiable rate notes or bonds secured by mortgages or trust deeds where the notes or bonds do not exceed 95 percent of the appraised value of the security for the same.

For the purposes of this subdivision, a renegotiable rate mortgage loan is a loan issued for a term of three years to five years, secured by a mortgage maturing in not to exceed 30 years, and automatically renewable at equal intervals after the original loan term which may be up to 6 months shorter or longer than subsequent terms. The loan must be repayable in equal monthly installments of principal and interest during the loan term, in an amount at least sufficient to amortize a loan with the same principal and at the same interest rate over the remaining life of the mortgage.

In the mortgage documents, the association must grant to the borrower an option to renew the loan for a new term, but not beyond the maturity date of the mortgage, at a new interest rate which shall be the association's then current market rate of interest on similar loans. The option to renew the loan may be conditioned upon the borrower having consistently repaid principal and interest in a timely manner during the existing loan term. Interest rate increases are optional with the association; net decreases from the previous loan term are mandatory.

The borrower may not be charged costs connected with the renewal of the loan, except for nominal costs of preparing and recording documents."

Amend the title as follows:

Page 1, line 9, delete "4," and after "8" delete the comma and after "17" insert ", and by adding a subdivision"

The motion prevailed. So the amendment was adopted.

S. F. No. 630, which the committee recommends to pass with the following amendment offered by Mr. Schaaf:

Page 8, after line 25, insert:

"Sec. 14. [EFFECTIVE DATE.] This act is effective the day following final enactment."

The motion prevailed. So the amendment was adopted.

S. F. No. 1255, which the committee recommends to pass with the following amendment offered by Mr. Lessard:

Pages 2 and 3, delete section 2 and insert:

"Sec. 2. Minnesota Statutes, 1979 Supplement, Section 282.15, is amended to read:

282.15 [SALES OF FORFEITED LANDS.] Such sale shall be conducted by the auditor of the county wherein such parcels lie and shall be sold to the highest bidder but not for less than the appraised value. Such sales shall be for cash or on the following terms: The appraised value of all merchantable timber on such agricultural lands shall be paid for in full at the date of sale. At least 15 percent of the purchase price of the land shall be paid in cash at the time of purchase, and the balance in not to exceed 20 equal annual instalments with interest at the rate of ~~four~~ *eight* percent per annum on the unpaid balance each year, both principal and interest to become due and payable on December 31 each year following that in which the purchase was made. The purchaser may pay any number of instalments of principal and interest on or before their due date. When the sale is on terms other than for cash in full the purchaser shall receive from the county auditor a contract for deed, in such form as shall be prescribed by the attorney general. The county auditor shall make a report to the commissioner of natural resources not more than 30 days after each public sale, showing the lands sold at such sales, and submit a copy of each contract of sale.

All lands sold pursuant to the provisions hereof shall, on the second day of January following the date of such sale, be restored to the tax rolls and become subject to taxation in the same manner as the same were assessed and taxed before becoming the absolute property of the state."

Amend the title as follows:

Page 1, line 5, delete "282.15;"

Page 1, line 7, before the period, insert "; and Minnesota Statutes, 1979 Supplement, Section 282.15"

The motion prevailed. So the amendment was adopted.

S. F. No. 1649, which the committee recommends to pass with the following amendment offered by Mr. Gunderson:

Page 2, line 1, strike "such" and insert "*whole*"

Page 2, line 6, after "solids" insert "*or protein*"

Page 2, line 6, delete everything after "therein"

Page 2, delete lines 7 to 9

Page 2, line 10, delete "*hundredweight*"

Page 2, lines 18 to 28, delete the new language

The motion prevailed. So the amendment was adopted.

On motion of Mr. Coleman, the report of the Committee of the Whole, as kept by the Secretary, was adopted.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Coleman moved that the Senate do now adjourn until 1:00 o'clock p.m., Thursday, March 20, 1980. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate