

THIRTIETH DAY

St. Paul, Minnesota, Monday, April 6, 1981

The Senate met at 11:00 a.m. and was called to order by the President.

Prayer was offered by the Chaplain, Rev. John E. Melchert.

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

Bang	Dieterich	Kronebusch	Penny	Sikorski
Belanger	Engler	Langseth	Peterson, C.C.	Solon
Benson	Frank	Lantry	Peterson, D.L.	Spear
Berg	Frederick	Lessard	Peterson, R.W.	Stern
Berglin	Frederickson	Lindgren	Petty	Stokowski
Bernhagen	Hanson	Luther	Pillsbury	Stumpf
Bertram	Hughes	Menning	Purfeerst	Taylor
Brataas	Humphrey	Merriam	Ramstad	Tennessen
Chmielewski	Johnson	Moe, D.M.	Renneke	Ulland
Dahl	Keefe	Moe, R.D.	Rued	Vega
Davies	Knoll	Nelson	Schmitz	Waldorf
Davis	Knutson	Olhoft	Setzepfandt	Willet
Dicklich	Kroening	Pehler	Sieloff	

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. Wegener was excused from the Session of today.

EXECUTIVE AND OFFICIAL COMMUNICATIONS

April 1, 1981

The Honorable Harry A. Sieben, Jr.
Speaker of the House of Representatives

The Honorable Jack Davies
President of the Senate

I have the honor to inform you that the following enrolled Act of the 1981 Session of the State Legislature has been received from the Office of the Governor and is deposited in the Office of the Secretary of State for preservation, pursuant to the State Constitution, Article IV, Section 23:

S.F. No.	H.F. No.	Session Laws Chapter No.	Date Approved 1981	Date Filed 1981
7		15	April 1	April 1

Sincerely,

Joan Anderson Growe
Secretary of State

MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to announce the passage by the House of the following Senate Files, herewith returned: S. F. Nos. 171 and 345.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned April 2, 1981

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. 153: A bill for an act relating to local government; granting towns certain powers over town cemeteries; regulating town cemeteries; amending Minnesota Statutes 1980, Sections 365.26; and 365.27.

Senate File No. 153 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned April 2, 1981

CONCURRENCE AND REPASSAGE

Mr. Rued moved that the Senate concur in the amendments by the House to S. F. No. 153 and that the bill be placed on its repassage as amended. The motion prevailed.

S. F. No. 153: A bill for an act relating to cemeteries; granting towns certain powers over town cemeteries; regulating town cemeteries; providing that no occupant of cemetery land shall acquire any title to the land by reason of occupancy; amending Minnesota Statutes 1980, Sections 365.26; 365.27; and 541.01.

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 51 and nays 1, as follows:

Those who voted in the affirmative were:

Belanger	Chmielewski	Dieterich	Frederickson	Johnson
Benson	Dahl	Engler	Hanson	Keefe
Berglin	Davies	Frank	Hughes	Knutson
Bertram	Davis	Frederick	Humphrey	Kroening

Kronebusch	Moe, R.D.	Petty	Sikorski	Vega
Langseth	Nelson	Pillsbury	Spear	Waldorf
Lantry	Olhoft	Purfeerst	Stern	Willet
Lindgren	Pehler	Ramstad	Stokowski	
Luther	Penny	Renneke	Stumpf	
Menning	Peterson, C.C.	Rued	Taylor	
Moe, D.M.	Peterson, D.L.	Schmitz	Ulland	

Mr. 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 Senate File, AS AMENDED by the House, in which amendments the concurrence of the Senate is respectfully requested:

S. F. No. 209: A bill for an act relating to gambling devices; clarifying definitions of gambling devices; authorizing an additional gambling device; authorizing certain payments for operation of gambling devices; changing prize limitations; changing the penalty provision for violation; amending Minnesota Statutes 1980, Sections 349.26, Subdivisions 2, 4, 5, 12, 13, 14 and 15, and by adding a subdivision; 349.30, Subdivision 2; and 349.31, Subdivision 1.

Senate File No. 209 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned April 2, 1981

Mr. Nelson moved that S. F. No. 209 be laid on the table. The motion prevailed.

Mr. President:

I have the honor to announce the passage by the House of the following House Files, herewith transmitted: H. F. Nos. 222, 339, 487 and 574.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted April 2, 1981

FIRST READING OF HOUSE BILLS

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

H. F. No. 222: A bill for an act relating to families; designating an American family day; proposing new law coded in Minnesota Statutes, Chapter 517.

Referred to the Committee on General Legislation and Administrative Rules.

H. F. No. 339: A bill for an act relating to towns; providing for the opening of cartways under certain circumstances; providing a method for determining whether to open or maintain certain town roads; amending Minnesota Statutes 1980, Sections 164.08, Subdivision 2; and 365.10.

Referred to the Committee on Rules and Administration for comparison with S. F. No. 323, now on General Orders.

H. F. No. 487: A bill for an act relating to the capitol area architectural and planning board; providing for disposition of tax-forfeited property within the capitol area; amending Minnesota Statutes 1980, Section 15.50, Subdivision 6.

Referred to the Committee on Rules and Administration for comparison with S. F. No. 229, now on General Orders.

H. F. No. 574: A bill for an act relating to intoxicating liquor; authorizing the issuance of one off-sale license in the town of Tofte.

Referred to the Committee on Commerce.

REPORTS OF COMMITTEES

Mr. Moe, R.D. moved that the Committee Reports at the Desk be now adopted, with the exception of the reports pertaining to appointments. The motion prevailed.

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

S. F. No. 523: A bill for an act relating to the city of St. Paul; relating to a proposed joint housing finance program by the cities of St. Paul and Minneapolis.

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

Delete everything after the enacting clause and insert:

“Section 1. [ST. PAUL, CITY OF; MINNEAPOLIS, CITY OF; JOINT FAMILY HOUSING PROGRAM.]

Subdivision 1. The cities of St. Paul and Minneapolis may issue, jointly or separately, housing revenue bonds pursuant to Minnesota Statutes, Chapter 462C, to finance the joint housing program specifically exempted from the provisions of sections 1102 and 1103 of the Mortgage Subsidy Bond Tax Act of 1980. The bond issues, in an aggregate amount not to exceed \$235,000,000, shall not be included in the computation made pursuant to Minnesota Statutes, Section 462C.07, Subdivision 2, of the aggregate principal amount of revenue bonds or other obligations issued by the cities of St. Paul and Minneapolis.

Subd. 2. No more than 20 percent of the aggregate amount of all loans for single and multifamily housing provided in each city, pursuant to the program described in section 1, shall be made without regard to the income limits established in Minnesota Statutes, Section 462C.03, Subdivision 2.

Sec. 2. [EFFECTIVE DATE.]

This act shall become effective as to each city the day after compliance by the governing body of each city with the provisions of Minnesota Statutes, Section 645.021, Subdivision 3.”

Amend the title as follows:

Page 1, delete lines 2 to 4 and insert “relating to the cities of St. Paul and

Minneapolis; exempting a certain joint housing bonding program from the provisions of Minnesota Statutes, Section 462C.07, Subdivision 2."

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

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

S. F. No. 763: A bill for an act relating to the cities of Minneapolis and St. Paul; authorizing the implementation of energy conservation programs; authorizing the financing of residential energy conservation programs; authorizing the issuance of qualified mortgage bonds.

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

Page 1, line 12, after "*that*" insert "*implementing*"

Page 1, line 13, after "*conservation*" insert "*measures*"

Page 1, line 15, delete "*this*" and insert "*energy conservation*"

Page 2, line 3, delete "*such*" and insert "*the*"

Page 2, line 12, delete "*utilization*" and insert "*use*"

Page 2, line 17, delete "*utilization*" and insert "*use*"

Page 2, line 18, delete "*such*" and insert "*a*"

Page 3, line 7, delete "*this act*" and insert "*sections 1 to 5*"

Page 3, line 11, delete "*this act*" and insert "*sections 1 to 5*"

Page 3, line 19, delete "*this*" and insert "*sections 1 to 5*"

Page 3, line 20, delete "*act*"

Page 3, line 23, delete "*Chapter*" and insert "*Chapters 462C or*"

Page 4, line 7, delete "*equal to the*" and insert "*not to exceed \$16,000,000.*"

Page 4, delete lines 8 to 13

Page 4, line 14, delete "*preceding three years.*"

Page 4, after line 15, insert:

"Nothing contained within this subdivision shall authorize the issuance of qualified mortgage bonds for a program which would otherwise be subject to Minnesota Statutes, Chapter 462C, without compliance with chapter 462C."

Page 4, line 21, delete "*equal to the*" and insert "*not to exceed \$8,500,000.*"

Page 4, delete lines 22 to 27

Page 4, after line 29, insert:

"Nothing contained within this subdivision shall authorize the issuance of qualified mortgage bonds for a program which would otherwise be subject to Minnesota Statutes, Chapter 462C, without compliance with chapter 462C."

Sec. 7. [REPORT.]

By January 1, 1982, the cities of St. Paul and Minneapolis shall report to the appropriate committees of the legislature on the implementation of the program created in sections 1 to 5. The report shall include but is not limited to information on the amount of bonds issued and the number and types of dwelling units served, whether single family, multifamily of four units or less, or multifamily of more than four units."

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 6, before the period, insert " ; requiring a report to the legislature"

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

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

S. F. No. 808: A bill for an act relating to the city of Duluth; authorizing the establishment of a home energy conservation program as part of its municipal utility system and the issuance of municipal revenue bonds or notes for that purpose.

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

Page 2, line 15, delete "reasonable" and insert "10 year"

Page 2, line 21, delete "real estate rental business" and insert "trade or business of rental real estate"

Page 2, line 22, delete "generally"

Page 2, line 27, delete "[CONTRACTS.]"

Page 2, line 27, delete "or homeowner, subject"

Page 2, line 28, delete "to the approval of the city,"

Page 2, line 29, after "contractors" insert " , subject to the requirements of section 471.345,"

Page 2, after line 34, insert:

"Subd. 2. A homeowner, subject to the approval of the city, may negotiate and contract with building trade unions, union members, or contractors to perform work or furnish materials or both, for one or more projects, in accordance with schedules coordinated and approved by the city.

Subd. 3. The city may contract with a homeowner for labor or materials, or both, provided that in such cases the city may inspect the work performed and shall not pay the homeowner for his labor."

Page 2, line 35, delete "2. [CITY MATERIALS.]" and insert "4."

Page 3, line 11, delete " ; as to which loan the homeowner and the financial"

Page 3, delete lines 12 to 17 and insert a period

Page 3, line 23, after "furnished" insert "by the city"

Page 3, line 29, after "for" insert "municipal"

Page 4, line 19, after "use" insert "municipal"

Page 4, line 21, before "utility" insert "municipal"

Page 8, line 4, delete "not less than an amount which bears the" and insert "\$3,000,000."

Page 8, delete lines 5 to 9

Page 8, after line 14, insert:

"Sec. 8. [REPORT.]

By January 1, 1982, the city of Duluth shall report to the appropriate committees of the legislature on the implementation of the program created in sections 1 to 7. The report shall include but is not limited to information on the amount of bonds issued, average size of loans, types of energy conservation measures financed, number of households served, and an analysis of the effectiveness of the program."

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 5, before the period, insert "requiring a report to the legislature"

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

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

S. F. No. 903: A bill for an act relating to the city of Minneapolis; providing for amendment of certain special revenue obligations; amending Laws 1975, Chapter 188, Section 3, by adding a subdivision.

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

Page 1, line 21, delete "the day after" and insert "upon"

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

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

S. F. No. 382: A bill for an act relating to recycling of solid waste; authorizing counties to license redemption centers; requiring payment of a refund on nonrefillable beverage containers; imposing duties on the commissioner of revenue and county auditors; imposing penalties; appropriating money; proposing new law coded in Minnesota Statutes, Chapter 116F.

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

Delete everything after the enacting clause and insert:

"Section 1. [116F.23] [DEFINITIONS.]

Subdivision 1. [SCOPE.] For the purposes of sections 1 to 5, the terms defined in this section have the meanings given them.

Subd. 2. [AGENCY.] "Agency" means the pollution control agency.

Subd. 3. [BEER.] "Beer" means beer, ale or other malt drink containing one-half of one percent or more of alcohol by volume.

Subd. 4. [BEVERAGE CONTAINER.] "Beverage container" means an individual, hermetically sealed bottle, can, jar or carton which is composed of at least 50 percent glass, metal or plastic by weight and which is used for the purpose of containing beer, soft drinks or other beverages in liquid form intended for human consumption.

Subd. 5. [DISTRIBUTION.] "Distribution" means the sale of filled beverage containers to retail dealers in this state.

Subd. 6. [IMPORTER.] "Importer" means a person that transports into this state any beverage containers filled outside of this state for distribution and retail sale in this state.

Subd. 7. [OTHER BEVERAGES.] "Other beverages" means noncarbonated drinks including spring water, fruit or vegetable juices, fruit or vegetable drinks, chocolate drinks, and other similar drinks whether naturally or artificially flavored. "Other beverages" does not include any concentrates, syrup or flavoring.

Subd. 8. [MANUFACTURER.] "Manufacturer" means a person that fills beverage containers in this state with beer, milk, soft drinks or other beverages for distribution and sale in this state.

Subd. 9. [REUSE.] "Reuse" means the refilling of empty beverage containers for distribution and retail sale or the recovery of the materials from which the containers are made for any productive purpose including energy production.

Subd. 10. [SOFT DRINKS.] "Soft drinks" means soda waters, mineral waters and any other carbonated non-alcoholic beverages.

Sec. 2. [116F.24] [RETURN REQUIREMENTS.]

Subdivision 1. [LIABILITY OF PRODUCERS AND IMPORTERS.] After January 1, 1982, any manufacturer or importer that sells any filled beverage container which is sold by a retail dealer in this state is liable for the penalties prescribed under section 4 if the agency finds that containers sold by retail dealers in this state were not returned for reuse to the manufacturer, importer or its agent when empty as provided in subdivisions 2 to 4.

For the purposes of this section:

(a) The number of beverage containers which must be returned shall be based on the number of beverage containers sold by the manufacturer or importer which were sold by retail dealers in this state; and

(b) The beverage containers actually returned to a manufacturer, importer or its agent may be any empty beverage containers which were returned to a manufacturer, importer or its agent in this state by a consumer or by any

person engaged in waste collection as defined in section 115A.03, subdivision 5.

Subd. 2. [SOFT DRINKS.] The number of beverage containers which must be returned for reuse when empty to a manufacturer or importer of soft drinks or its agent shall be:

(a) For calendar year 1982, at least 65 percent of the number of containers sold by the manufacturer or importer which are sold by retail dealers in this state during the year.

(b) For calendar year 1983, at least 75 percent of the number of containers sold by the manufacturer or importer which are sold by retail dealers in this state during the year.

(c) For calendar year 1984, and in following years, at least 85 percent of the number of containers sold by the manufacturer or importer which are sold by retail dealers in this state during the year.

Subd. 3. [BEER.] The number of beverage containers which must be returned for reuse when empty to a manufacturer or importer of beer or its agent shall be:

(a) For calendar year 1982, at least 65 percent of the number of containers sold by the manufacturer or importer which are sold by retail dealers in this state during the year.

(b) For calendar year 1983, at least 75 percent of the number of containers sold by the manufacturer or importer which are sold by retail dealers in this state during the year.

(c) For calendar year 1984, and in following years, at least 85 percent of the number of containers sold by the manufacturer or importer which are sold by retail dealers in this state during the year.

Subd. 4. [OTHER BEVERAGES.] The number of beverage containers which must be returned for reuse when empty to a manufacturer or importer of other beverages, or its agent shall be:

(a) For calendar year 1982, at least 25 percent of the number of containers sold by the manufacturer or importer which are sold by retail dealers in this state during the year.

(b) For calendar year 1983, at least 50 percent of the number of containers sold by the manufacturer or importer which are sold by retail dealers in this state during the year.

(c) For calendar year 1984, and in following years, at least 75 percent of the number of containers sold by the manufacturer or importer which are sold by retail dealers in this state during the year.

Sec. 3. [116F.25] [PROCEDURE; AGENCY FINDINGS.]

The agency shall initiate a single consolidated proceeding in 1983, 1984 and 1985 in the manner provided for a contested case under chapter 15 to make findings pursuant to this section for beverage containers sold by manufacturers and importers which are sold by retail dealers in the state during the preceding calendar year. The agency shall initiate the proceeding by July 1 of each year and shall complete the proceeding and issue its findings by December 31 of that

year.

The burden shall be on the manufacturer or importer to demonstrate its compliance with the requirements of section 2. The number of beverage containers returned may be demonstrated by count, by weight or by other means determined reasonable by the agency. A manufacturer or importer shall co-operate with the agency to provide the information necessary to make the findings required by this section.

When the number of returned beverage containers is demonstrated by evidence of the return of some quantity of material from which the containers were made, the agency shall determine the proportion of the material which is attributable to the beverage containers. The proportion may be determined by means of a representative sampling of the proportion of beverage containers and other types of waste composed of that material which are returned in this state in the same manner in which the material in question was returned to the manufacturer, importer or its agent.

After the proceeding in 1985, the agency shall hold further consolidated proceedings at least once every two years as the agency deems necessary to implement sections 1 to 5.

Sec. 4. [116F.26] [FINES; ENFORCEMENT.]

Subdivision 1. [FAILURE TO MEET RETURN REQUIREMENTS.] When the agency issues a finding under section 3 that any manufacturer or importer has failed to comply with the requirements of section 2, subdivision 2, the manufacturer or importer shall pay to the agency a civil fine based upon the total price charged by the manufacturer or importer for filled beverage containers sold by the manufacturer or importer which were sold by retail dealers in the state during the preceding calendar year. The fine shall be one percent of the manufacturer's or importer's price for each one percent or fraction thereof by which the percentage of containers returned for reuse as determined by the agency is less than the required percentage of containers provided in section 2, subdivision 2.

Subd. 2. [ENFORCEMENT.] The attorney general shall bring any action necessary to recover any fine imposed under this section.

Sec. 5. [116F.27] [LOCAL RESOURCE RECOVERY PROGRAMS.]

Any county or home rule charter or statutory city may assist in the implementation of the purposes of sections 1 to 5 by establishing programs to encourage development of comprehensive resource recovery systems as defined in section 116F.02, subdivision 6.

Sec. 6. [EFFECTIVE DATE.]

This act is effective the day following final enactment."

Amend the title as follows:

Page 1, line 2, delete "authorizing"

Page 1, delete lines 3 to 6

Page 1, line 7, delete "appropriating money" and insert

"setting requirements on the percentage of beverage containers which must

be returned for reuse; imposing fines on sale of beverage containers which have not met percentage requirements; permitting counties and cities to establish resource recovery programs; imposing duties on the pollution control agency and the attorney general; imposing civil penalties"

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

Mr. Stumpf from the Committee on Elections and Reapportionment, to which was referred

S. F. No. 791: A bill for an act relating to elections; changing eligibility requirements and compensation for election judges; authorizing time off from work for election judges; amending Minnesota Statutes 1980, Sections 204A.18; and 204A.23.

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

Page 3, line 1, strike "in home rule"

Page 3, strike lines 2 to 5

Page 3, line 6, strike "town board." and insert "*shall be set as follows: by the governing body in home rule charter and statutory cities, by the county board in unorganized territory, and by the town board in towns; provided that in all cases*"

Page 3, line 15, delete "*no less than that*"

Page 3, strike line 16

Page 3, line 17, strike "subdivision 1" and insert "*to be set by the governing body that sets the compensation of the election judge*"

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

Mr. Stumpf from the Committee on Elections and Reapportionment, to which was referred

S. F. No. 820: A bill for an act relating to elections; changing certain election procedures, requirements and time limits; amending Minnesota Statutes 1980, Sections 201.071, Subdivision 1; 202A.26, Subdivision 1; 203A.22, Subdivision 4; 203A.31, Subdivisions 1 and 3; 203A.32; 204A.04, Subdivision 1; 204A.13, Subdivision 1; 204A.17, Subdivision 1; 204A.18, Subdivision 2; 204A.53, Subdivision 2; 204A.54, Subdivision 1; 205.03, Subdivisions 1 and 3; 207.03, Subdivision 1; 207.04, Subdivision 1; 207.20, Subdivision 1; 207.22; and 209.02, Subdivision 4; repealing Minnesota Statutes 1980, Sections 201.091, Subdivision 5; 202A.54; and 206.18.

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

Page 2, line 2, reinstate "Date of birth" and reinstate the dotted line

Page 2, delete line 3

Page 5, line 27, strike "An individual"

Page 5, line 28, strike the old language and delete "any"

Page 5, line 31, delete the new language and insert *"If the files of the appointing authority do not contain sufficient voters within a precinct who are qualified and willing to serve as election judges, election judges may be appointed who reside in another precinct in the same municipality. If there are not sufficient voters within the municipality who are qualified and willing to serve as election judges, election judges may be appointed who reside in the county where the precinct is located"*

Pages 5 and 6, delete section 10

Page 10, delete section 18

Page 11, line 7, after the semicolon insert *"and"*

Page 11, line 8, delete *"and 206.18;"*

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 8, delete *"204A.18, Subdivision 2;"*

Page 1, line 11, delete *"207.22;"*

Page 1, line 13, after *"Subdivision 5;"* insert *"and"*

Page 1, line 13, after *"202A.54"* delete *"; and"*

Page 1, line 14, delete *"206.18"*

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

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

S. F. No. 377: A bill for an act relating to economic development; appropriating money to permit the small business finance agency to participate in business loans; amending Minnesota Statutes 1980, Section 362.53, Subdivision 12.

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

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

S. F. No. 1101: A bill for an act relating to economic development; providing for changes in the small business finance agency law to better provide assistance for small business; making technical changes; amending Minnesota Statutes 1980, Sections 362.50, Subdivisions 4, 5, 9 and 10; 362.52, Subdivisions 2 and 4; 362.53, Subdivisions 11, 12, 15 and 17; repealing Minnesota Statutes 1980, Section 362.50, Subdivisions 6 and 7.

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

Page 2, line 10, strike *"20"* and insert *"25"*

Page 2, line 11, strike *"\$1,000,000"* and insert *"\$1,500,000"*

Page 2, line 18, delete *"20"* and insert *"25"*

Page 2, line 18, delete "\$1,000,000" and insert "\$1,500,000"

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

Mr. Spear from the Committee on Public Employees and Pensions, to which was referred

S. F. No. 333: A bill for an act relating to public employees; regulating bargaining between instructional unit employees and the University of Minnesota; amending Minnesota Statutes 1980, Section 179.741, Subdivision 3.

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

Page 4, line 3, before the period, insert "*, or may negotiate separate contracts with the regents*"

Page 4, line 3, after the period, insert "*If the exclusive bargaining representatives jointly negotiate a contract with the regents, the contract shall be ratified by each unit.*"

Page 4, after line 3, insert:

"Sec. 2. [EFFECTIVE DATE.]

Section 1 is effective the day following final enactment."

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

Mr. Spear from the Committee on Public Employees and Pensions, to which was referred

S. F. No. 650: A bill for an act relating to education; providing for the inclusion of certain community college and state university faculty members in the definition of an employee under the public employee labor relations act of 1971; amending Minnesota Statutes 1980, Section 179.63, Subdivision 7.

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

Page 1, after line 24, insert:

"(g) employees providing services for not more than two consecutive quarters to the state university board or the community college board under the terms of a professional/technical services contract as defined in section 16.098;"

Page 2, line 1, before "to" insert "*, except at the university established in section 136.017,*"

Page 2, line 8, before "for" insert "*, except at the university established in section 136.017,*"

Amend the title as follows:

Page 1, line 5, delete "employee" and insert "employment"

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

Mr. Spear from the Committee on Public Employees and Pensions, to which

was referred

S. F. No. 708: A bill for an act relating to public employees; excluding the executive secretaries of certain state boards from bargaining units; amending Minnesota Statutes 1980, Section 179.74, Subdivision 4.

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

Page 2, lines 1 to 4, delete the new language and insert " *the executive secretary of any board in section 214.01, subdivisions 2 and 3, who serves in the unclassified service, and the executive secretary of the board created pursuant to section 114A.04,*"

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

Mr. Spear from the Committee on Public Employees and Pensions, to which was referred

S. F. No. 817: A bill for an act relating to retirement; the Minneapolis employees retirement fund; establishing a new retirement benefit fund therein; transferring assets from the Minnesota post-retirement investment fund; amending Minnesota Statutes 1980, Section 422A.06, Subdivisions 1, 3, 4, 5, and by adding a subdivision.

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

Page 1, after line 9, insert:

"Section 1. Minnesota Statutes 1980, Section 11A.08, Subdivision 1, is amended to read:

Subdivision 1. [MEMBERSHIP.] There is created an investment advisory council consisting of ten members who are experienced in general investment matters and who shall be appointed by the state board, the commissioner of finance and the executive directors of each of the following: the Minnesota state retirement system, the public employees retirement association, the teachers retirement association and the Minneapolis municipal employees retirement fund, and a retiree currently receiving benefits from the post retirement investment fund who shall be appointed by the governor for a four year term.

Sec. 2. Minnesota Statutes 1980, Section 422A.05, Subdivision 2c, is amended to read:

Subd. 2c. The board may invest funds in investments authorized by section 11A.24. corporate stocks or corporate obligations of any corporation organized under the laws of the United States or of any state of the United States or the Dominion of Canada or any province thereof and other corporations traded on the New York or American Stock Exchanges if they conform to the following provisions:

(a) On corporate stocks:

(1) The market value of these investments shall not exceed 50 percent of the market value of the funds.

(2) Investments in any one corporation shall not exceed five percent of the

market value of the funds or five percent of the total shares outstanding of any one corporation.

(3) Cash dividends on these investments shall have been earned and paid for the preceding five years.

(4) Investments which do not conform to the dividend standard contained in clause (3) may be held, but the total amount of these securities shall not exceed five percent of the total market value of the funds.

(b) On corporate obligations:

(1) The consolidated net pretax earnings of corporations other than finance corporations shall have been an average for the preceding five years at least 1.5 times the annual interest charge on total funded debt applicable to that period.

(2) The consolidated net pretax earnings of banks and finance corporations shall have been an average for the preceding five years at least 1.2 times the annual interest charges on total funded debt applicable to that period.

(3) Obligations shall be rated among the top three quality categories by a nationally recognized rating agency; or if unrated, the corporation shall have other comparably secured issues similarly rated; or the consolidated net pretax earnings of the corporation shall have been an average for the preceding five years at least twice the ratios required in clauses (a) and (b).'

Pages 4 to 6, delete sections 5 and 6 and insert:

"Sec. 7. Minnesota Statutes 1980, Section 422A.06, is amended by adding a subdivision to read:

Subd. 8. [RETIREMENT BENEFIT FUND.] The retirement benefit fund shall consist of amounts held for payment of retirement allowances for members retired pursuant to sections 422A.01 to 422A.25. For members retiring after the established date for the transfer of assets and liabilities specified in section 6, assets equal to the required reserves pursuant to law shall be transferred from the deposit accumulation fund to the retirement benefit fund. All income from investments of these assets shall be allocated to this fund. There shall be paid from this fund all the retirement annuities authorized by law. The retirement benefit fund shall be governed by the applicable laws governing the accounting and audit procedures, investment, actuarial requirements, calculation and payment of post-retirement benefit adjustments, discharge of any deficiency in the assets of the fund when compared to the actuarially determined required reserves, and other applicable operations and procedures regarding the Minnesota post-retirement investment fund established pursuant to section 11A.18, and any legal or administrative interpretations of those laws of the state board of investment, the legal advisor to the board of investment and the executive director of the state board of investment. The retirement board shall also establish a deferred yield adjustment account within this fund.

Sec. 8. [TEMPORARY PROVISION: TRANSFER OF CERTAIN ASSETS AND LIABILITIES.]

The state board of investment shall transfer the assets and obligations in the Minnesota post-retirement investment fund attributable to the retired members of the Minneapolis employees retirement fund to the retirement benefit fund

established pursuant to section 7.

Notwithstanding any law to the contrary, the transfer of assets and obligations shall be based on the proportional share of required reserves of the Minnesota post-retirement investment fund attributable by Minneapolis retirement fund retired members as determined by the actuary for the legislative commission on pensions and retirement as of the established date for the transfer of assets and liabilities. The proportional share of required reserves attributable to retired members of the Minneapolis employees retirement fund shall determine the proportional share of the assets of the Minnesota post-retirement investment fund to be transferred based on market value.

As of the established date for the transfer of assets and liabilities, the liability for the payment of all annuities to annuitants of the Minneapolis employees retirement fund previously payable from the Minnesota post-retirement investment fund shall be transferred to the retirement benefit fund of the Minneapolis employees retirement fund and shall no longer be the liability of the Minnesota post-retirement investment fund.

At the close of the business day as of the established date for the transfer of assets and liabilities there shall be transferred to the Minneapolis retirement fund board title to assets equal to not less than 90 percent of the total market value of the estimated Minneapolis employees retirement fund participation in the Minnesota post-retirement investment fund. All market valuations shall be determined by a nationally recognized firm known to perform such evaluations which is mutually agreed upon by the state board of investment and Minneapolis retirement fund board. The transfer shall be in securities which are mutually agreeable to both parties and in cash, and shall be representative of the portfolio composition on the established date for the transfer of assets and liabilities. The remainder of the transfer shall be in cash with interest at the average rate earned in the Minnesota post-retirement investment fund short term portfolio from the established date for the transfer of assets and liabilities to the actual date of transfer after the actuarial determination of the proportional share of reserves attributable to retired members of the Minneapolis retirement fund is calculated by the actuary for the legislative commission on pensions and retirement. The proportional share of the deferred yield adjustment account of the Minnesota post-retirement investment fund attributable to the Minneapolis employees retirement fund as of the established date for the transfer of assets and liabilities shall be credited to the deferred yield adjustment account in the retirement benefit fund.

Upon the completion of the transfer authorized by this section, the legislative auditor shall conduct an examination of the transfer proceedings, prepare specific findings as to the propriety of fiscal correctness thereof and transmit these findings to the state board of investment, Minneapolis retirement fund board, the board of directors of the Minnesota state retirement system, the board of trustees of the public employees retirement association, the board of trustees of the teachers retirement association, the committee on public employees and pensions of the senate, the committee on governmental operations of the house of representatives, and the legislative commission on pensions and retirement. If the legislative auditor finds any error in the transfer proceedings, the parties to the transfer shall immediately cause the error to be corrected.

The Minneapolis retirement fund board shall pay any costs arising from the transfer authorized by this subdivision if the costs would not have been incurred in the absence of the transfer.

The established date for the transfer of assets and liabilities shall be June 30, 1981, unless the state board of investment and the Minneapolis employees retirement fund board jointly agree that the transfer authorized by this section should not be consummated on that date, whereupon the established date for the transfer of assets and liabilities shall be June 30, 1982.

Sec. 9. [REVISOR OF STATUTES; INSTRUCTIONS.]

In the next edition of Minnesota Statutes, the revisor of statutes shall remove the term "Minneapolis municipal employee retirement fund" wherever it appears and replace it with the term "Minneapolis employees retirement fund".

Sec. 10. [REPEALER.]

Minnesota Statutes 1980, Section 422A.05, Subdivision 3, is repealed.

Sec. 11. [EFFECTIVE DATE.]

This act is effective upon compliance with Minnesota Statutes, Section 645.021."

Amend the title as follows:

Page 1, line 2, after the semicolon insert "removing the director from the state board investment advisory council; changing the investment authority of the fund;"

Page 1, line 6, delete "Section" and insert "Sections 11A.08, Subdivision 1; 422A.05, Subdivision 2c; and"

Page 1; line 7, before the period insert ";; repealing Minnesota Statutes 1980, Section 422A.05, Subdivision 3"

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

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

S. F. No. 668: A bill for an act relating to marriage; changing the fee for marriage licenses; providing funds for certain battered women and displaced worker programs; appropriating money; amending Minnesota Statutes 1980, Section 517.08, Subdivision 1b, and by adding a subdivision.

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

Page 2, line 21, delete "worker" and insert "homemaker"

Page 2, after line 22, insert:

"Sec. 3. [INSTRUCTIONS TO REVISOR.]

In accordance with section 648.36, in the next edition of Minnesota Statutes the revisor of statutes shall change the headnote of section 4.40 from "displaced worker programs" to "displaced homemaker programs"."

Amend the title as follows:

Page 1, line 4, delete "worker" and insert "homemaker"

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

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

S. F. No. 956: A bill for an act relating to crimes; authorizing state funding for the Minnesota automated fingerprint identification network; appropriating money; amending Minnesota Statutes 1980, Sections 299C.46; and 299C.48.

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

Page 3, line 7, after the dollar sign, insert "903,000"

Page 3, line 12, after the dollar sign, insert "312,400"

Page 3, line 15, after "These" insert "operating"

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

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

S. F. No. 69: A bill for an act relating to statutes; providing that selected statutes shall be subject to judicial modification as is common law; proposing new law coded in Minnesota Statutes 1980, Chapter 645.

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

Page 1, line 10, after "1." insert "[JUDICIAL AUTHORITY.]"

Page 1, line 14, after "statute" insert ", whether written as a word or as a numeral."

Page 1, line 16, after "2." insert "[LAWS CHANGED.]"

Page 1, line 19, delete the first comma and insert "law"

Page 1, line 19, delete the second comma

Page 1, line 20, after "3." insert "[APPLICABLE TIME.]"

Page 1, line 21, delete "also"

Page 2, line 2, after "4." insert "[LAWS INCLUDED.]"

Page 2, line 4, delete "property,"

Page 2, line 10, after "of" insert "public"

Page 2, line 12, after "crimes," insert "real estate title,"

Page 2, line 12, delete the semicolon and insert a comma

Page 2, line 13, before "and" insert "health"

Page 2, line 13, delete the semicolon and insert "and"

Page 2, line 16, after "5." insert "[CITATION.]"

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. 436: A bill for an act relating to children; providing for review of foster care status of certain children; amending Minnesota Statutes 1980, Sections 257.071, Subdivisions 2, 3 and 4; 260.015, Subdivision 7; 260.111, Subdivision 2; and 260.131, by adding a subdivision; proposing new law to be coded in Minnesota Statutes, Chapter 260.

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

Page 1, line 14, reinstate the stricken language

Page 1, line 15, reinstate "shall be"

Page 1, lines 16 to 19, delete the new language and insert "*subject to an administrative review 180 days*"

Page 1, line 22, after the period, insert "*As an alternative to the administrative review, the social service agency responsible for the placement may bring a petition as provided in section 260.131, subdivision 1a, to the court for review of the foster care to determine if placement is in the best interests of the child. This petition must be brought to the court within six months and is not in lieu of the requirements contained in subdivision 3 or subdivision 4.*"

Page 2, line 9, delete "one year" and insert "two years"

Page 4, line 6, after "facility" insert ", as defined in section 257.071, subdivision 1,"

Page 4, line 12, after "facility" insert ", as defined in section 257.071, subdivision 1,"

Page 4, line 13, after "may" insert "bring a"

Page 4, line 13, delete the first "the" and insert "in"

Page 4, line 13, delete "in the" and insert "*to review the foster care status of the child in the manner provided in this section.*"

Page 4, delete lines 14 and 15

Page 4, delete lines 23 to 25 and insert "*arrangement. The court shall order the social service agency responsible for the placement to bring a petition pursuant to either section 260.131, subdivision 1 or section 260.131, subdivision 1a, as appropriate, within two years if court review was pursuant to section 257.071, subdivision 3 or subdivision 4, or within one year if court review was pursuant to section 257.071, subdivision 2.*"

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. 825: A bill for an act relating to courts; abolishing the maintenance of certain court records; amending Minnesota Statutes 1980, Sections 485.07; 548.08; 548.15; 548.22; 548.24; and 572.22, Subdivision 1.

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

Page 1, line 14, strike "his said" and insert "*the clerk's*"

Page 1, line 24, strike "such" and insert "*any*"

Page 2, line 17, strike the first "be" and insert "is"

Page 2, line 24, strike "such" and insert "the"

Page 2, line 25, strike "be" and insert "is"

Page 2, line 34, strike the first "such" and insert "the"

Page 2, line 34, strike the second "such" and insert "attorney"

Page 2, line 35, strike "such" and insert "the"

Page 3, line 14, strike "thereupon"

Page 3, line 14, strike "such" and insert "the"

Page 4, line 8, strike "the same" and insert "it"

Page 4, line 12, strike "thereupon"

Page 4, line 13, strike "thereon" and insert "on it"

Page 4, line 20, after "1." insert "[JUDGMENT ROLL.]"

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

Mr. Schmitz from the Committee on Veterans' Affairs, to which was referred

S. F. No. 557: A bill for an act relating to veterans; creating a tuition allowance program for certain veterans; proposing new law coded in Minnesota Statutes, Chapter 197.

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

Page 1, line 17, after "Minnesota" insert "or the University of Minnesota"

Page 2, line 1, delete "March" insert "May" and after "1975" insert a comma

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

Mr. Schmitz from the Committee on Veterans' Affairs, to which was referred

S. F. No. 811: A bill for an act relating to public holidays; regulating the observance of Memorial Day; amending Minnesota Statutes 1980, Sections 465.50; and 645.44, Subdivision 5.

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

Mr. Schmitz from the Committee on Veterans' Affairs, to which was referred

S. F. No. 790: A bill for an act relating to veterans; requiring the Veterans of Foreign Wars to provide assistance to disabled veterans in filing claims with the United States government; 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. Spear from the Committee on Public Employees and Pensions, to which was referred

S. F. No. 452: A bill for an act relating to the state board of investment; establishing standards for the selection of certain prudent investments; amending Minnesota Statutes 1980, Section 11A.09.

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

Page 3, line 3, delete "such" and after "violations" insert "of human rights"

Page 3, line 8, after the period, insert "The board may adopt policies and procedures designed to interpret and implement the provisions of this subdivision."

Page 3, after line 8, insert:

"Subd. 5. [POST RETIREMENT FUND; EXEMPTION.] *The investments of the post retirement fund, established pursuant to section 11A.18, are exempted from the requirements of subdivisions 3 and 4.*"

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

Mr. Spear from the Committee on Public Employees and Pensions, to which was referred

S. F. No. 805: A bill for an act relating to state government; authorizing a new account in the Minnesota supplemental investment fund; modifying the post-retirement adjustment; authorizing the state board of investment to invest in commingled funds and limited partnerships; amending Minnesota Statutes 1980, Sections 11A.17; 11A.18, Subdivision 9; and 11A.24, Subdivisions 3, 4, 5, and by adding a subdivision.

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

Page 1, line 22, reinstate the stricken language

Page 4, after line 30, insert:

"Subd. 12. [DEFERRED YIELD ADJUSTMENT ACCOUNT FOR THE BOND ACCOUNT OF THE SUPPLEMENTAL INVESTMENT FUND.] *There is hereby established a deferred yield adjustment account which shall be increased by the sale or disposition of any debt securities at less than book value and shall be decreased by the sale or disposition of debt securities at more than book value. At the end of each fiscal year, a portion of the balance of this account shall be offset against the investment income for that year. The annual portion of the balance to be offset shall be proportional to the reciprocal of the period over which the established rate was set, unless the amounts are offset by gains on the future sales of securities. In any fiscal year in which the gains on the sales of debt securities exceed the discounts realized on the sales of such securities, the excess shall be used to reduce the balance of the account.*"

Page 4, line 31, strike "12" and insert "13"

Page 5, line 1, strike "assumed" and insert "established"

Page 6, line 20, strike the semicolon and insert "*The required reserves shall be determined on the assumption that all annuitants and benefit recipients eligible to receive the post-retirement adjustment will be alive on the January 1 in question,*"

Page 6, line 27, delete "25 percent of"

Page 6, line 30, strike "75 percent will" and insert "amount shall"

Page 6, lines 31 to 34, reinstate the stricken language and delete the new language

Page 6, line 34, strike the period and insert a semicolon

Page 9, line 34, delete "clause (b)" and insert "clauses (b) and (c)"

Page 9, line 36, after "capital" insert "investment businesses"

Page 9, line 36, after "through" delete "investment" and insert "participation"

Page 10, line 2, after "estate" insert "ownership interests or loans secured by mortgages or deeds of trust"

Page 10, line 5, delete "and international"

Page 10, line 8, after "partnerships" insert ", private placements"

Page 10, line 15, delete "participants" and insert "unrelated owners of the investment"

Page 10, line 16, delete "in each investment vehicle"

Page 10, line 21, delete the language after the period and insert "*The state board shall not engage in any activity as a limited partner which creates general liability.*"

Page 10, delete line 22

Page 10, after line 22, insert:

"Sec. 7. [APPROPRIATION.]

There is annually appropriated to the state board, from the assets of the funds for which the state board invests pursuant to section 6, clause (a), sums sufficient to pay the costs for the management of these funds by private management firms.

Sec. 8. [INSTRUCTIONS TO REVISOR.]

Whenever it appears in Minnesota Statutes, Chapters 3A; 11A; 13; 69; 352; 353; 354; 355; 356; 422A or 490, the revisor shall replace the terms "Minnesota supplemental retirement fund" or "supplemental retirement fund" if referring to the fund established pursuant to Minnesota Statutes, Section 11A.17, with the terms "Minnesota supplemental investment fund" or "supplemental investment fund" respectively.

Sec. 9. [EFFECTIVE DATE.]

This act is effective on the day following final enactment."

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

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

S. F. No. 327: A bill for an act relating to criminal justice; establishing a crime control planning board; establishing regional crime control advisory councils; authorizing grants to regional crime control advisory councils; appropriating money; proposing new law coded in Minnesota Statutes, Chapter 299A; repealing Minnesota Statutes 1980, Section 299A.03.

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

Delete everything after the enacting clause and insert:

“Section 1. [3.87] [CRIMINAL JUSTICE COMMISSION.]

Subdivision 1. [CREATION; PURPOSE.] A criminal justice commission is hereby created to examine the criminal justice system on a local, regional and statewide basis.

Subd. 2. [DUTIES.] Together with its examination of the existing system of criminal justice, the commission shall:

(a) Study and make recommendations regarding crime control and the improvement of the criminal justice system;

(b) Serve as a coordinating body for the regional advisory councils established in section 5;

(c) Analyze proposed criminal justice legislation; and

(d) File an annual report with the legislature.

Subd. 3. [MEMBERSHIP.] The commission shall consist of six members of the senate, four appointed by the majority leader and two appointed by the minority leader, and six members of the house of representatives, four appointed by the speaker and two appointed by the minority leader. Each of these people shall be a member of the commission only while that person is a member of the body from which that person was appointed. The first members of this commission shall be selected to serve for a term expiring on January 15 of the next biennial session of the legislature and until their successors are appointed. Subsequent members of the commission shall be appointed at the commencement of each biennial session of the legislature for a two year term beginning on January 16 of that year. Vacancies shall be filled in the same manner as the original appointment.

Subd. 4. [CHAIRMAN.] The chairmanship of the commission shall alternate every two years between a member of the senate and a member of the house. The initial chairman of the commission shall be a member of the senate. The commission shall hold meetings at the time and place designated by the chairman.

Subd. 5. [STAFF.] The commission may employ the professional, clerical, and technical assistants it deems necessary in order to perform its duties and may use existing legislative staff.

Subd. 6. [ASSISTANCE OF OTHER AGENCIES.] The commission may request information from any state officer or agency in order to assist in carrying out the terms of this section and the officer or agency shall promptly

furnish any data requested to the extent permitted by law.

Subd. 7. [EXPENSES AND REIMBURSEMENT OF MEMBERS AND STAFF.] The members of the commission and its assistants shall be reimbursed for all expenses actually and necessarily incurred in the performance of their duties. Reimbursement shall be made pursuant to the rules governing legislators and legislative employees.

Subd. 8. [COMMISSION EXPENSES AND REPORTS.] Expenses of the commission shall be approved by the chairman or other member as the rules of the commission may provide and the expenses shall then be paid in the same manner as other state expenses are paid. A general summary or statement of expenses incurred by the commission and paid shall be made to the legislature by November 15 of each even numbered year.

Sec. 2. Minnesota Statutes 1980, Section 299A.03, Subdivision 2, is amended to read:

Subd. 2. [CREATION; MEMBERSHIP.] There is created the crime control planning board in the executive branch of state government. The board shall be composed of the ~~chairperson appointed by the governor~~ director of the state planning agency, who shall serve as chairman, and the following 18 members:

- (a) The chief justice of the Minnesota supreme court or, if he elects not to serve, a designee;
- (b) The attorney general or a member of his staff designated by him;
- (c) The commissioner of public safety or a member of his staff designated by him;
- (d) The commissioner of corrections or a member of his staff designated by him;
- (e) A district, county or municipal court trial judge;
- (f) The state court administrator; and
- (g) Twelve citizens of the state appointed by the governor.

The trial judge and the designee for the chief justice, if the chief justice elects not to serve, shall be appointed by the governor. In making these two appointments, the governor shall consider a list of at least three nominees for each position submitted to the governor by the chief justice within 30 days after the effective date of this section or the occurrence of a vacancy. The remaining members appointed by the governor shall include persons employed by agencies or political subdivisions engaged in activities relating to law enforcement or criminal justice, persons representing agencies engaged in providing youth services and preventing juvenile delinquency and persons who would not qualify for appointment under any of the preceding categories but who are interested in activities within the jurisdiction of the board.

Sec. 3. [299A.20] [POLICY.]

The legislature declares that efforts to control crime and improve the criminal justice system in this state must begin with comprehensive planning and improved coordination among federal, state and local criminal justice system agencies. This planning and coordinating effort must be responsive to the unique problems and resources that exist in the different development regions

within the state. Only through the creation of a statewide network of local and regional crime control advisory councils can these efforts to control crime and improve the criminal justice system be implemented.

Sec. 4. [299A.21] [CRIME CONTROL PLANNING REGIONS.]

Each of the development regions authorized to be established by Minnesota Statutes, Section 462.385, and the territory defined by Laws 1967, Chapter 896, shall be designated crime control planning regions.

Sec. 5. [299A.22] [REGIONAL ADVISORY COUNCIL.]

Subdivision 1. [MEMBERSHIP.] Each crime control planning region shall have a regional crime control advisory council of not more than 25 members appointed by the regional development commission and, if applicable, the county board pursuant to subdivision 3. The metropolitan council shall be the regional crime control advisory council for the metropolitan area.

Subd. 2. [COOPERATIVE PLANNING.] Nothing in this subdivision shall be construed to prohibit joint and cooperative planning efforts between regions or between units of local government geographically located within the metropolitan area as defined by Minnesota Statutes, Section 473.121, Subdivision 2. Additionally, regional development commissions may contract with a non-profit agency for the purpose of performing the functions contained in section 6.

Subd. 3. [MEMBERS.] Members of the regional crime control advisory councils shall be appointed for a two year term but serve at the pleasure of the regional development commission. Metropolitan council members shall serve their terms as defined by Minnesota Statutes, Section 473.123, Subdivision 2. Each county geographically located within a regional development commission jurisdiction shall be represented by at least one member on the regional crime control advisory council appointed by the county board. The regional crime control advisory council shall organize itself and elect a chairperson.

Subd. 4. [ADMINISTRATIVE SERVICES.] Each regional development commission and the metropolitan council, or contracted agency, shall provide the regional crime control advisory council with office space, staff support, and administrative services.

Sec. 6. [299A.23] [PLANNING FUNCTIONS; REGIONAL AND LOCAL.]

Each regional advisory council shall:

(a) Develop and revise as necessary a comprehensive plan for the control of crime and the improvement of the criminal justice system in the region. This comprehensive criminal justice plan shall include:

(1) An analysis of data which indicates the current status and trends of crime and delinquency in the region;

(2) Data indicating the availability of public and private, paid and voluntary resources available for crime prevention control activities in the region;

(3) A statement of regional crime control and criminal justice system improvement goals, policies, priorities, and implementation strategies. The implementation strategies shall include proposed legislation, proposed technical

assistance projects, proposed coordinating activities, and proposed guidelines for the allocation of federal, state, and local resources within the region.

(b) Serve as the regional clearinghouse for:

(1) Information on crime, crime trends, criminal justice research and evaluation results, methods for preventing and controlling crime and delinquency, technical assistance available from federal, state, and local agencies, crime control and prevention resources, criminal justice and juvenile justice legislation;

(2) Review and comment on federal and state grant applications for criminal justice projects affecting agencies and units of government in the region.

(c) Evaluate and report to the legislature, the governor, and executive branch agencies the impact of proposed or existing criminal justice legislation on local governments and agencies and special populations in the region.

(d) Assist local governments and agencies in the development and implementation and evaluation of crime control and justice system improvement project activities.

(e) Coordinate and integrate where appropriate criminal and juvenile justice activities with the other planning and policy development activities performed by regional development commissions and the metropolitan council.

(f) Develop and implement public information programs to promote voluntary, coordinated crime and delinquency prevention and control activities by public and private agencies and community groups in the region.

(g) Assist local governments and agencies in the development and implementation of coordinated projects and activities that will increase the cost-effectiveness of crime control and justice system improvement efforts in the region.

(h) Administer block grants awarded pursuant to the federal crime control acts or other state or federal acts providing appropriations for crime control and justice system improvement, including federal funds allocated to local units of government.

(4) Report each January 15 to the legislative commission established in section 1 and at such other times as the commission may request on all of the activities of the advisory council under this section.

Sec. 7. [299A.25] [EVALUATION.]

Prior to September 30, 1984, the regional crime control advisory councils, the legislative commission established in section 1, and the legislative audit commission shall conduct an evaluation of the effectiveness of the statewide crime control planning process authorized and established by this act and report the results of the evaluation to the governor and the legislature prior to December 15, 1984.

Sec. 8. [APPROPRIATIONS.]

Subdivision 1. There is appropriated from the general fund the sums indicated in this section for the fiscal year ending June 30 in the years designated for the following purposes.

Subd. 2. [CRIMINAL JUSTICE COMMISSION.] For the criminal justice

commission established pursuant to section 1, there is appropriated:

\$1982,

\$1983.

Subd. 3. [REGIONAL CRIME CONTROL PLANNING; 1982.] For the regional crime control planning activities established pursuant to section 6, there is appropriated to the following regional development commissions the following amounts for fiscal year 1982.

<i>Region 1</i>	<i>\$ 14,057</i>
<i>Region 2</i>	<i>14,057</i>
<i>Region 3</i>	<i>50,390</i>
<i>Region 4</i>	<i>37,966</i>
<i>Region D</i>	<i>50,390</i>
<i>Region E</i>	<i>54,692</i>
<i>Region 9</i>	<i>32,008</i>
<i>Region 10</i>	<i>34,370</i>
<i>Region 11</i>	<i>292,915</i>

Subd. 4. [REGIONAL CRIME CONTROL PLANNING; 1983.] For the regional crime control planning activities established pursuant to section 6, there is appropriated to the following regional development commissions the following amounts for fiscal year 1983.

<i>Region 1</i>	<i>\$ 13,364</i>
<i>Region 2</i>	<i>13,363</i>
<i>Region 3</i>	<i>48,339</i>
<i>Region 4</i>	<i>35,056</i>
<i>Region D</i>	<i>48,319</i>
<i>Region E</i>	<i>52,084</i>
<i>Region 9</i>	<i>31,067</i>
<i>Region 10</i>	<i>33,224</i>
<i>Region 11</i>	<i>279,131</i>

Subd. 5. The appropriations in this section shall not be used for a purpose other than the purpose indicated.

Sec. 9. [REPEALER.]

Minnesota Statutes 1980, Section 299A.03, Subdivision 5, is repealed effective July 1, 1981.

Sec. 10. [REPEALER.]

Minnesota Statutes 1980, Sections 260.125, Subdivision 6; 299A.03, Subdivisions 1, 2, 3, 4, 6, 7, 8, 9, 10, 11, 12, 13, and 14; and 299A.04, are repealed effective July 1, 1982.

Sec. 11. [REPEALER.]

Sections 1, 3, 4, 5, 6 and 7 are repealed effective July 1, 1985. "

Amend the title as follows:

Page 1, line 2, delete "crime" and insert "legislative commission"

Page 1, line 3, delete "control planning board"

Page 1, line 6, after the semicolon insert "amending Minnesota Statutes 1980, Section 299A.03, Subdivision 2;"

Page 1, line 7, delete "Chapter" and insert "Chapters 3 and"

Page 1, line 8, delete "Section" and insert "Sections 260.125, Subdivision 6;" and after "299A.03" insert "; and 299A.04"

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

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

S. F. No. 759: A bill for an act relating to transportation; establishing a rail bank account; providing for the deposit of money in the rail bank account and specifying the purposes for which it may be expended; appropriating money; amending Minnesota Statutes 1980, Sections 222.49; 222.50, Subdivision 7; 222.63, by adding a subdivision; and Laws 1980, Chapter 610, Section 1.

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

Page 2, after line 26, insert:

"Sec. 3. Minnesota Statutes 1980, Section 222.63, Subdivision 2, is amended to read:

Subd. 2. [ESTABLISHMENT; ACQUISITION; ELIGIBLE PROPERTIES.] A state rail bank is established for the acquisition, preservation and disposition of abandoned railroad right-of-way for future use for commercial transportation and transmission. The commissioner of transportation may acquire by purchase or otherwise all or part of any abandoned railroad right-of-way which is necessary for inclusion in the state rail bank to meet the future commercial transportation needs of the state. The commissioner shall not acquire any interest in an abandoned right-of-way for inclusion in the state rail bank by eminent domain except to quiet title or when all owners as defined in section 117.025 that are known to the court have no objection to the taking.

An abandoned right-of-way is eligible for inclusion in the state rail bank if the right-of-way meets one or more of the following criteria:

(a) Provides or is expected to provide access to a present or proposed major energy generating or using facility such as an electrical generating plant, major heating plant or other major industrial user of energy;

(b) Provides or is expected to provide access to a major storage or terminal facility in the marketing of agricultural commodities and forest products;

(c) Provides important access to surrounding states;

(d) Is a present or potential corridor for a pipeline, electrical transmission line, highway, transit route, rail freight or passenger line or other similar commercial transportation use; or

(e) Provides access to an extractive resource requiring transportation and transmission rail services for its development.

The commissioner shall provide for the maintenance including control of weeds, of any right-of-way that is included in the rail bank. The commissioner shall provide for the maintenance and management of any right-of-way that is acquired under the rail bank program in a manner that minimizes maintenance costs and provides a benefit to the state. The commissioner may also require that any existing railroad track that is included in the acquired right-of-way shall not be removed during the period the right-of-way is included in the state rail bank."

Page 3, line 13, strike "Sections" and insert "Section"

Page 3, line 13, delete "222.50,"

Page 3, line 14, delete "Subdivision 7, Clause (c), and"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 7, after "222.63," insert "Subdivision 2, and"

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. 713: A bill for an act relating to drivers licenses; increasing fees for motorized bicycle operator permits and for driver licenses; establishing a fee for the Minnesota identification card; providing for uniform application fees; requiring reexamination before issuance of a new drivers license after revocation; amending Minnesota Statutes 1980, Sections 171.02, Subdivision 3; 171.06, Subdivisions 1, 2 and 4; 171.07, Subdivision 3; and 171.29.

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

Page 2, after line 28, insert:

"Sec. 4. Minnesota Statutes 1980, Section 171.06, is amended by adding a subdivision to read:

Subd. 3a. [MIDDLE NAME MAY BE MAIDEN NAME.] For the purposes of subdivision 3, and section 171.07, subdivision 1, the full name of a married applicant may include, at the option of the applicant, the applicant's family name prior to marriage instead of the applicant's given middle name, notwithstanding the middle name specified on the applicant's marriage certificate."

Page 4, after line 13, insert:

"Sec. 7. Minnesota Statutes 1980, Section 171.26, is amended to read:

171.26 [MONEYS CREDITED TO ~~TRUNK HIGHWAY~~ HIGHWAY USER TAX DISTRIBUTION FUND AND TO GENERAL FUND.]

All money received under the provisions of this chapter shall be paid into the state treasury with ~~90~~ 100 percent of ~~such the~~ money credited to the ~~trunk highway~~ highway user tax distribution fund, and ~~ten percent~~ credited to the ~~general fund~~."

Page 4, line 32, delete "This act is" and insert "Sections 1 to 3 and 5 to 8 are"

Page 4, line 32, after the period insert "Section 4 is effective January 1, 1983."

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 6, after "fees" insert "; providing for the reallocation of certain revenues"

Page 1, line 7, after "revocation" insert "; authorizing married applicants to use their maiden name as their middle name"

Page 1, line 9, delete the first "and" and insert a comma

Page 1, line 9, after "4" insert ", and by adding a subdivision"

Page 1, line 9, after "3" insert "; 171.26"

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. 862: A bill for an act proposing an amendment to the Minnesota Constitution, Article XI, Section 5; providing for the improvement and rehabilitation of certain railroad facilities.

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

Page 2, line 20, delete "*the contracting of debt*" and insert "*state bonding authority*"

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

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

S. F. No. 819: A bill for an act relating to agriculture; increasing a variety of fees charged by the department of agriculture for services, inspections, and other duties; establishing a revolving fund; appropriating money; amending Minnesota Statutes 1980, Sections 17B.15; 18.51, Subdivision 2; 18.52, Subdivision 5; 18.54, Subdivision 1; 19.19, Subdivisions 1 and 2; 19.20, Subdivision 4; 223.03; 223.12, Subdivision 1; 231.16; 232.02, Subdivisions 1, 2, and 3; and 233.08.

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

Page 1, line 15, after "WEIGHING" insert "; *DEDICATED ACCOUNT*"

Page 1, line 16, after "1." insert "[*AMOUNT OF FEES; DEPOSIT IN ACCOUNT.*]"

Page 1, line 20, delete "*purposes*" and insert "*provisions*"

Page 1, line 20, before the period, insert ", *including repayment by the department of any amount appropriated from the general fund to establish the grain inspection and weighing account*"

Page 1, line 27, strike "moneys so" and insert "*fees*"

Page 1, line 28, strike "paid into"

Page 1, line 29, strike "the state treasury" and delete "*and credited to*" and insert "*deposited in*"

Page 2, line 1, delete "*fund of the commissioner, hereby created*" and insert "*account, which is created in the state treasury*"

Page 2, line 2, delete "*effective July 1,*"

Page 2, line 3, delete "1981" and after the period, insert "*The money in the*"

account is annually appropriated to the commissioner of agriculture to administer the provisions of sections 17B.01 to 17B.23."

Page 2, line 15, after "3." insert "[MINIMUM CHARGE.]"

Page 2, line 19, reinstate the old language and delete the new language

Page 2, line 26, strike "be"

Page 2, line 27, strike "required to" and strike "shall"

Page 2, line 28, strike "issue" and insert "issues"

Page 3, line 3, delete "15" and insert "50"

Page 5, lines 35 to 37, reinstate the stricken language and delete the new language

Page 6, lines 1, 2 and 6, reinstate the stricken language and delete the new language

Page 6, delete section 9

Page 11, line 20, delete "APPROPRIATIONS" and insert "APPROPRIATION"

Page 11, line 21, delete everything before "The"

Page 11, lines 24 and 26, delete "fund" and insert "account"

Page 11, delete lines 28 to 37

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 19, delete "223.12, Subdivision 1;"

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

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

S. F. No. 664: A bill for an act relating to water resources; altering certain provisions concerning the regulation of shoreland use and development in municipalities; amending Minnesota Statutes 1980, Section 105.485, Subdivision 6.

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

Pages 1 to 3, delete section 1 and insert:

"Section 1. Minnesota Statutes 1980, Section 105.485, Subdivision 6, is amended to read:

Subd. 6. [MUNICIPAL SHORELAND MANAGEMENT.] ~~Before April 1, 1974, each~~ Any municipality having shoreland within its corporate limits shall submit to the commissioner, *within one year from the date of notification by*

the commissioner, for his review, ~~any and approval, proposed municipal shoreland management ordinances, rules, or regulations affecting the use and development of its shorelands which meet the minimum standards and criteria established pursuant to this section.~~ The commissioner shall review the ordinances, rules, or regulations and determine whether they are in substantial compliance with municipal shoreland management standards and criteria promulgated pursuant to subdivision 3. In making ~~his~~ the review the commissioner also shall consider any feature unique to the municipal shoreland in question, including but not limited to the characteristics of the waters which may be affected by development, storm sewer facilities, and sanitary and waste disposal facilities in existence at the time of the commissioner's review. If the commissioner determines that the ordinances, rules, or regulations of a municipality do not substantially comply with the state standards and criteria for municipal shoreland management, ~~he the commissioner~~ shall so notify the municipality and shall indicate to the municipality the changes which are necessary to bring the ordinances, rules, or regulations into substantial compliance with state standards and criteria. Within ~~one year six months~~ after receiving this notice from the commissioner, the municipality shall make the changes necessary to bring the ordinances, rules, or regulations into substantial compliance with state standards and criteria ~~and shall enact ordinances, rules, or regulations which meet state standards and criteria. If a municipality has no ordinance, rule, or regulation affecting the use and development of shoreland on April 1, 1974, it shall adopt such an ordinance, rule, or regulation complying with state standards and criteria for municipal shoreland management, before July 1, 1975.~~

The commissioner may adopt a shoreland management ordinance, rule or regulation for a municipality as provided in this subdivision if :

(a) ~~a~~ The municipality has ~~no been notified by the commissioner to submit a shoreland management ordinance, rule, or regulation affecting the use and development of shoreland on April 1, 1974, and fails to adopt such submit an ordinance by July 1, 1975, or if , rule or regulation within one year after receiving the notice;~~

(b) The corporate boundaries of the municipality are expanded to include shorelands not previously included within the municipal boundaries and the municipality fails to adopt ~~such an ordinance , rule or regulation~~ within one year after including the shorelands within its municipal boundaries ; ~~or if~~

(c) The commissioner determines that a municipal shoreland management ordinance , rule or regulation does not substantially comply with the state standards and criteria for municipal shoreland management and that the municipality has failed to make the necessary changes within ~~one year six months~~ after receiving notice of the commissioner's determination of substantial non-compliance ; ~~the commissioner may adopt an ordinance, rules, or regulations for the municipality in the following manner .~~

If the commissioner proposes an ordinance, rule or regulation, he shall hold at least one public hearing on the proposed ordinance, ~~rules, or regulations~~ rule or regulation in the manner provided in section 462.357, after giving notice as provided in section 462.357. The ordinance, rules, or regulations are effective for the municipality on the date and in accordance with ~~such~~ regulations relating to compliance as the commissioner shall prescribe. The ordinance shall

be enforced as provided in section 462.362. The penalties provided in section 462.362 apply to violations of the ordinances, rules, or regulations adopted for the municipality by the commissioner. The costs incurred by the commissioner in adopting the ordinances, rules, or regulations for the municipality shall be paid by the municipality and collected from the municipality in the same manner as such costs are paid by a county and collected from a county pursuant to subdivision 5; ~~and~~. Any tax levied to pay the costs shall be levied in excess of any limitation as to rate or amount, but shall not cause the amount of other taxes which are subject to any limitation to be reduced in any amount whatsoever."

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

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

S. F. No. 818: A bill for an act relating to game and fish; restricting the taking of bear to adult bear; amending Minnesota Statutes 1980, Section 100.27, Subdivision 2.

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

Page 1, after line 6, insert:

"Section 1. Minnesota Statutes 1980, Section 97.49, Subdivision 1a, is amended to read:

Subd. 1a. (a) For purposes of this subdivision, "deer license" means a license issued by the commissioner under the provisions of section 98.46, subdivision 2, clauses (2) and (3) and subdivision 14, clauses (2) and (3).

(b) It is the policy of this state that at least \$1 from each deer license issued by the commissioner shall be used for the purpose of deer habitat improvement. *An additional \$1 from each deer license shall be used for deer habitat improvement effective for the license year beginning March 1, 1982, and thereafter, if deer license fees are increased for the 1982 license year.*"

Re-number the remaining section

Amend the title as follows:

Page 1, line 2, after the semicolon, insert "increasing the amount set aside from any increased deer license fees for deer habitat improvement,"

Page 1, line 4, delete "Section" and insert "Sections 97.49, Subdivision 1a; and"

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

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

S. F. No. 372: A bill for an act relating to agriculture; removing certain buyers and sellers of hay and straw from commission merchant licensing requirements; amending Minnesota Statutes 1980, Sections 223.01; 223.02; 223.03; and 223.05; repealing Minnesota Statutes 1980, Sections 223.06 and

223.12.

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

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

S. F. No. 810: A bill for an act relating to pollution; authorizing water pollution control fund grants for certain wastewater treatment projects; authorizing issuance of Minnesota state water pollution control bonds; appropriating money; amending Minnesota Statutes 1980, Section 116.18, Subdivisions 1 and 4.

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

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

H. F. No. 150: A bill for an act relating to parks; removing authority to lease certain lands within Tettegouche state park; repealing Laws 1979, Chapter 301, Section 10, Subdivision 7.

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

Mr. Merriam from the Committee on Agriculture and Natural Resources, to which was referred the following appointment as reported in the Journal for February 16, 1981:

WATER PLANNING BOARD

Alvin Payne

Reports the same back with the recommendation that the appointment be confirmed.

Mr. Moe, R. D. moved that the foregoing committee report be laid on the table. The motion prevailed.

Mr. Spear from the Committee on Public Employees and Pensions, to which was referred the following appointment as reported in the Journal for January 19, 1981:

PUBLIC EMPLOYMENT RELATIONS BOARD

Karl F. Landholm

Reports the same back with the recommendation that the appointment be confirmed.

Mr. Moe, R. D. moved that the foregoing committee report be laid on the table. The motion prevailed.

Mr. Spear from the Committee on Public Employees and Pensions, to which was referred the following appointment as reported in the Journal for February 16, 1981:

PUBLIC EMPLOYMENT RELATIONS BOARD

Karen A. Olsen

Reports the same back with the recommendation that the appointment be confirmed.

Mr. Moe, R. D. moved that the foregoing committee report be laid on the table. The motion prevailed.

SECOND READING OF SENATE BILLS

S. F. Nos. 382, 791, 820, 1101, 333, 650, 708, 817, 69, 436, 825, 811, 452, 805, 759, 713, 664, 818 and 372 were read the second time.

SECOND READING OF HOUSE BILLS

H. F. No. 150 was read the second time.

MOTIONS AND RESOLUTIONS

Mr. Nelson moved that the name of Mr. Sikorski be added as co-author to S. F. No. 208. The motion prevailed.

Mr. Nichols moved that his name be stricken as chief author and Mr. Peterson, C.C. be shown as chief author to S. F. No. 282. The motion prevailed.

Mr. Luther moved that the name of Mr. Merriam be added as co-author to S. F. No. 664. The motion prevailed.

Mr. Purfeerst moved that the name of Mr. Merriam be added as co-author to S. F. No. 681. The motion prevailed.

Mr. Dicklich moved that the name of Mr. Merriam be added as co-author to S. F. No. 767. The motion prevailed.

Mr. Ramstad moved that his name be stricken as co-author to S. F. No. 919. The motion prevailed.

Mr. Ulland moved that the name of Mr. Belanger be added as co-author to S. F. No. 1049. The motion prevailed.

Mr. Merriam moved that the name of Mr. Dahl be added as co-author to S. F. No. 1074. The motion prevailed.

Mrs. Stokowski moved that the name of Mr. Dahl be added as co-author to S. F. No. 1103. The motion prevailed.

Ms. Berglin moved that the names of Messrs. Stern and Ramstad be added as co-authors to S. F. No. 1147. The motion prevailed.

Mr. Sikorski moved that the name of Mr. Stern be added as co-author to S. F. No. 1163. The motion prevailed.

Mr. Dieterich moved that the name of Mr. Dahl be added as co-author to S. F. No. 1175. The motion prevailed.

Mr. Hughes moved that H. F. No. 483 be withdrawn from the Committee on Local Government and Urban Affairs and re-referred to the Committee on Veterans' Affairs. The motion prevailed.

Messrs. Ramstad and Pillsbury introduced—

Senate Resolution No. 42: A Senate resolution congratulating the Wayzata

Trojans basketball team for winning the Co-championship of the Lake North Conference.

Referred to the Committee on Rules and Administration.

Mr. Ramstad introduced—

Senate Resolution No. 43: A Senate resolution congratulating the Armstrong Senior High School basketball team for winning Co-Championship of the Lake North Conference.

Referred to the Committee on Rules and Administration.

Mr. Rued introduced—

Senate Resolution No. 44: A Senate resolution extending congratulations to the Brainerd Kixters on winning first place in the Minnesota State Danceline Competition.

Referred to the Committee on Rules and Administration.

Mr. Setzepfandt introduced—

Senate Resolution No. 45: A Senate resolution congratulating the Bird Island-Lake Lillian High School Football Team on winning the 1980 State Class C Football Championship.

Referred to the Committee on Rules and Administration.

Mr. Setzepfandt introduced—

Senate Resolution No. 46: A Senate resolution congratulating the Bird Island-Lake Lillian High School Basketball Team on winning the 1981 Class A Basketball Championship.

Referred to the Committee on Rules and Administration.

Mr. Bertram introduced—

Senate Resolution No. 47: A Senate resolution congratulating the Huskies boys basketball team from Albany High School for participating in the 1981 Class A State High School Boys Basketball Tournament.

Referred to the Committee on Rules and Administration.

Mr. Pehler introduced—

Senate Resolution No. 48: A Senate resolution relating to the proclamation of Handicapped Awareness Week in the St. Cloud area.

Referred to the Committee on Rules and Administration.

Mr. Pehler moved that S. F. No. 1101 be stricken from General Orders and re-referred to the Committee on Governmental Operations. The motion prevailed.

S. F. No. 247 and the Conference Committee Report thereon were reported to the Senate.

CONFERENCE COMMITTEE REPORT ON S. F. NO. 247

A bill for an act relating to metropolitan government; providing for the maximum amount of the borrowing authorization of the metropolitan airports commission; requiring the installation of certain equipment; mandating a noise abatement plan; amending Minnesota Statutes 1980, Sections 473.608, Subdivision 20, and by adding a subdivision; and 473.667, Subdivision 2.

March 31, 1981

The Honorable Jack Davies
President of the Senate

The Honorable Harry A. Sieben, Jr.
Speaker of the House of Representatives

We, the undersigned conferees for S. F. No. 247, report that we have agreed upon the items in dispute and recommend as follows:

That the House recede from its amendments and S.F. No. 247 be amended as follows:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1980, Section 473.667, Subdivision 2, is amended to read:

Subd. 2. [BORROWING AUTHORIZATION.] No additional bonds shall be issued under the provisions of section 473.665, over and above the amount outstanding April 1, 1974. Except for refunding bonds and certificates of indebtedness, the principal amount of bonds that may be issued under this section, over and above the amount of bonds of the commission outstanding ~~February 1, 1980~~ January 15, 1981, is limited to ~~\$75,000,000~~ \$92,000,000 until and unless this limitation is increased by law. The pledge of revenues of the commission to its debt service fund in lieu of the taxes otherwise required by section 473.665 to be assessed and extended shall be and remain a first charge on all current revenues of the commission to the extent required annually to cancel such taxes.

Sec. 2. Minnesota Statutes 1980, Section 473.608, Subdivision 20, is amended to read:

Subd. 20. Subject to the final enactment of the Airport and Airways Development Act Amendments of 1975 the corporation shall install aircraft noise suppressing equipment at the ground run-up operation sites of the Minneapolis-St. Paul International Airport. All such aircraft noise suppressing equipment shall conform to specifications approved by the pollution control agency. ~~The pollution control agency shall determine the deadline for design selection and installation of the aircraft noise suppressing equipment; provided~~ The deadline for design selection shall be no later than ~~December 31, 1980~~ March 1, 1983.

Sec. 3. [473.612] [NOISE ABATEMENT PLAN.]

By December 31, 1981 the commission shall submit to the legislature a noise abatement plan for the Minneapolis-St. Paul International Airport, containing annual objectives until December 31, 1987, for reduction of aircraft noise within the metropolitan area. The plan shall contain definite proposals for

specific annual reductions in the maximum hourly noise levels, such as defined by Minnesota pollution control agency rules, 6 MCAR 4.2001 (15) and (16), based on the typically worst noise condition on an hourly basis received in populated residential areas. By December 31, 1982, and each year thereafter until December 31, 1987, the commission shall submit to the legislature a report detailing the reduction of aircraft noise in meeting the annual objectives outlined in the above noise abatement plan.

Sec. 4. [EFFECTIVE DATE.]

This act applies in the counties of Anoka, Carver, Dakota, Hennepin, Ramsey, Scott and Washington and is effective the day after final enactment."

Delete the title and insert:

"A bill for an act relating to metropolitan government; providing for the maximum amount of the borrowing authorization of the metropolitan airports commission; requiring actions to abate airport noise; amending Minnesota Statutes 1980, Sections 473.608, Subdivision 20; and 473.667, Subdivision 2; proposing new law coded in Minnesota Statutes, Chapter 473."

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

Senate Conferees: (Signed) Clarence M. Purfeerst, Otto T. Bang, Jr., Irving M. Stern

House Conferees: (Signed) Gordon O. Voss, Wesley J. Skoglund, William Schreiber

Mr. Purfeerst moved that the foregoing recommendations and Conference Committee Report on S. F. No. 247 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. 247 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 60 and nays 1, as follows:

Those who voted in the affirmative were:

Bang	Engler	Lantry	Peterson, C. C.	Sikorski
Belanger	Frank	Lessard	Peterson, D. L.	Solon
Benson	Frederick	Lindgren	Peterson, R. W.	Spear
Berglin	Frederickson	Luther	Petty	Stern
Bernhagen	Hanson	Menning	Pillsbury	Stokowski
Bertram	Hughes	Merriam	Purfeerst	Stumpf
Brataas	Humphrey	Moe, D. M.	Ramstad	Taylor
Chmielewski	Knoll	Moe, R. D.	Renneke	Tennessee
Dahl	Knutson	Nelson	Rued	Ulland
Davies	Kroening	Olhoft	Schmitz	Vega
Davis	Kronebusch	Pehler	Setzepfandt	Waldorf
Dicklich	Langseth	Penny	Sieloff	Willet

Mr. Dieterich voted in the negative.

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

CALENDAR

H. F. No. 471: A bill for an act relating to agriculture; consolidating certain promotional fund accounts; regulating deposit of certain funds; appropriating money; amending Minnesota Statutes 1980, Sections 17.59, Subdivisions 3, 4 and by adding a subdivision; 21A.09, Subdivision 1; 29.17; 30.469; 30.47; 32B.07; and 32B.12.

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

The question was taken on the passage of the bill.

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

Those who voted in the affirmative were:

Bang	Engler	Lessard	Peterson, R.W.	Stokowski
Belanger	Frank	Lindgren	Petty	Stumpf
Benson	Frederick	Luther	Pillsbury	Taylor
Berglin	Frederickson	Menning	Purfeerst	Tennessee
Bernhagen	Hanson	Merriam	Ramstad	Ulland
Bertram	Hughes	Moe, D.M.	Renneke	Vega
Brataas	Humphrey	Moe, R.D.	Schmitz	Waldorf
Chmielewski	Johnson	Nelson	Setzepfandt	Willet
Dahl	Knutson	Olhoft	Sieloff	
Davies	Kroening	Pehler	Sikorski	
Davis	Kronebusch	Penny	Solon	
Dicklich	Langseth	Peterson, C.C.	Spear	
Dieterich	Lantry	Peterson, D.L.	Stern	

So the bill passed and its title was agreed to.

H. F. No. 297: A bill for an act relating to the town of Great Scott; granting the town certain powers of a municipality.

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:

Bang	Engler	Lantry	Peterson, D.L.	Spear
Belanger	Frank	Lessard	Peterson, R.W.	Stern
Benson	Frederick	Lindgren	Petty	Stokowski
Berglin	Frederickson	Luther	Pillsbury	Stumpf
Bernhagen	Hanson	Menning	Purfeerst	Taylor
Bertram	Hughes	Merriam	Ramstad	Tennessee
Brataas	Humphrey	Moe, D.M.	Renneke	Ulland
Chmielewski	Johnson	Moe, R.D.	Rued	Vega
Dahl	Knoll	Nelson	Schmitz	Waldorf
Davies	Knutson	Olhoft	Setzepfandt	Willet
Davis	Kroening	Pehler	Sieloff	
Dicklich	Kronebusch	Penny	Sikorski	
Dieterich	Langseth	Peterson, C.C.	Solon	

So the bill passed and its title was agreed to.

CONSENT CALENDAR

S. F. No. 463: A bill for an act relating to credit unions; permitting a change of titles of officers; amending Minnesota Statutes 1980, Sections 52.06, Subdivision 1; and 52.09, by adding a subdivision.

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

The question was taken on the passage of the bill.

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

Those who voted in the affirmative were:

Bang	Engler	Langseth	Peterson, C.C.	Solon
Belanger	Frank	Lantry	Peterson, D.L.	Spear
Benson	Frederick	Lessard	Peterson, R.W.	Stern
Berglin	Frederickson	Lindgren	Petty	Stokowski
Bernhagen	Hanson	Luther	Pillsbury	Stumpf
Bertram	Hughes	Menning	Purfeerst	Taylor
Brataas	Humphrey	Merriam	Ramstad	Ulland
Chmielewski	Johnson	Moe, D.M.	Renneke	Vega
Dahl	Keefe	Moe, R.D.	Rued	Waldorf
Davies	Knoll	Nelson	Schmitz	Willet
Davis	Knutson	Olhoft	Setzepfandt	
Dicklich	Kroening	Pehler	Sieloff	
Dieterich	Kronebusch	Penny	Sikorski	

So the bill passed and its title was agreed to.

S. F. No. 885: A bill for an act relating to regional railroad authorities; providing that cities of the first class may join in the organization of a regional railroad authority in conjunction with one or more counties; amending Minnesota Statutes 1980, Sections 398A.02; 398A.03; 398A.04, Subdivisions 8 and 9; and 398A.06, Subdivision 1.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 60 and nays 2, as follows:

Those who voted in the affirmative were:

Bang	Engler	Langseth	Penny	Sieloff
Belanger	Frank	Lantry	Peterson, C.C.	Sikorski
Benson	Frederick	Lessard	Peterson, D.L.	Solon
Berglin	Frederickson	Lindgren	Peterson, R.W.	Spear
Bernhagen	Hanson	Luther	Petty	Stern
Brataas	Hughes	Menning	Pillsbury	Stokowski
Chmielewski	Humphrey	Merriam	Purfeerst	Stumpf
Dahl	Johnson	Moe, D. M.	Ramstad	Taylor
Davies	Keefe	Moe, R. D.	Renneke	Ulland
Davis	Knoll	Nelson	Rued	Vega
Dicklich	Kroening	Olhoft	Schmitz	Waldorf
Dieterich	Kronebusch	Pehler	Setzepfandt	Willet

Messrs. Bertram and Knutson voted in the negative.

So the bill passed and its title was agreed to.

S. F. No. 917: A bill for an act relating to the statutes; removing archaic language from certain laws related to animals; amending Minnesota Statutes 1980, Sections 346.20; 346.21; 346.215; 346.216; 346.22; 346.23; 346.24; 346.25; 346.26; 346.27; 346.28; 346.31; 346.32; 346.33; 346.34; and 347.23.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 60 and nays 3, as follows:

Those who voted in the affirmative were:

Bang	Dieterich	Kronebusch	Pehler	Sikorski
Belanger	Engler	Langseth	Penny	Solon
Benson	Frank	Lantry	Peterson, C. C.	Spear
Berglin	Frederick	Lessard	Peterson, D. L.	Stern
Bernhagen	Hanson	Lindgren	Peterson, R. W.	Stokowski
Bertram	Hughes	Luther	Petty	Stumpf
Brataas	Humphrey	Menning	Pillsbury	Taylor
Chmielewski	Johnson	Merriam	Purfeerst	Tennessee
Dahl	Keefe	Moe, D. M.	Ramstad	Ulland
Davies	Knoll	Moe, R. D.	Renneke	Vega
Davis	Knutson	Nelson	Schmitz	Waldorf
Dicklich	Kroening	Olhoft	Sieloff	Willet

Messrs. Frederickson, Rued and Setzepfandt voted in the negative.

So the bill passed and its title was agreed to.

S. F. No. 918: A bill for an act relating to Minnesota Statutes; making various clarifications and technical amendments relating to the style and form of Minnesota Statutes 1980, Chapter 56; amending Minnesota Statutes 1980, Sections 56.01; 56.02; 56.04; 56.05; 56.06; 56.07; 56.09; 56.10; 56.11; 56.12; 56.13; 56.14; 56.15, Subdivision 1; 56.16; 56.17; 56.18; 56.19; 56.20; 56.21; 56.22; 56.23; 56.24; 56.25; proposing new law coded in Minnesota Statutes, Chapter 56; repealing Minnesota Statutes 1980, Sections 56.15, Subdivision 2; and 56.26.

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

The question was taken on the passage of the bill.

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

Those who voted in the affirmative were:

Bang	Engler	Langseth	Peterson, C. C.	Solon
Belanger	Frank	Lantry	Peterson, D. L.	Spear
Benson	Frederick	Lessard	Peterson, R. W.	Stern
Berglin	Frederickson	Lindgren	Petty	Stokowski
Bernhagen	Hanson	Luther	Pillsbury	Stumpf
Bertram	Hughes	Menning	Purfeerst	Taylor
Brataas	Humphrey	Merriam	Ramstad	Tennessee
Chmielewski	Johnson	Moe, D. M.	Renneke	Ulland
Dahl	Keefe	Moe, R. D.	Rued	Vega
Davies	Knoll	Nelson	Schmitz	Waldorf
Davis	Knutson	Olhoft	Setzepfandt	Willet
Dicklich	Kroening	Pehler	Sieloff	
Dieterich	Kronebusch	Penny	Sikorski	

So the bill passed and its title was agreed to.

S. F. No. 611: A bill for an act relating to motor vehicles; requiring certain owners of motorcycles to furnish evidence of security under the Minnesota no-fault automobile insurance act; amending Minnesota Statutes 1980, Section 65B.68, Subdivision 2.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 60 and nays 1, as follows:

Those who voted in the affirmative were:

Bang	Frank	Lantry	Petty	Stokowski
Belanger	Frederick	Lessard	Pillsbury	Stumpf
Benson	Frederickson	Lindgren	Purfeerst	Taylor
Berglin	Hanson	Luther	Ramstad	Tennesen
Bernhagen	Hughes	Menning	Renneke	Ulland
Bertram	Humphrey	Merriam	Rued	Vega
Brataas	Johnson	Moe, R. D.	Schmitz	Waldorf
Chmielewski	Keefe	Nelson	Setzepfandt	Willet
Dahl	Knoll	Olhoft	Sieloff	
Davies	Knutson	Pehler	Sikorski	
Davis	Kroening	Peterson, C. C.	Solon	
Dieterich	Kronebusch	Peterson, D. L.	Spear	
Engler	Langseth	Peterson, R. W.	Stern	

Mr. Penny voted in the negative.

So the bill passed and its title was agreed to.

GENERAL ORDERS

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

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

S. F. No. 22, which the committee reports progress, after the following motions:

Mr. Chmielewski moved to amend S. F. No. 22 as follows:

Page 1, after line 26, insert:

"Sec. 2. [171.182] [SUSPENSION; UNINSURED VEHICLES.]

Subdivision 1. [DEFINITION.] For the purposes of sections 1 to 3 the term "judgment" means any judgment which shall have become final by expiration without appeal of the time within which an appeal might have been perfected, or by final affirmation on appeal, rendered by a court of competent jurisdiction of any state of the United States, upon a claim for relief arising out of ownership, maintenance, or use of any motor vehicle, for damages, including damages for care and loss of services, because of bodily injury to or death of any person, or for damages because of injury to or destruction of property, including the loss of use thereof, or upon a claim for relief on an agreement of settlement for the damages.

Subd. 2. [COPY OF JUDGMENT TO COMMISSIONER.] When any person fails within 30 days to satisfy any judgment and failed to maintain at the time of the accident giving rise to the judgment the reparation security required by section 65B.48, it shall be the duty of the clerk of the court to forward to the commissioner immediately after the expiration of the 30 days, a certified copy of the judgment and affidavit of identification.

If the judgment debtor named in any certified copy of a judgment reported to the commissioner is a nonresident, the commissioner shall transmit a certified copy of the judgment to the official in charge of the issuance of drivers licenses

of the state of which the judgment debtor is a resident. It shall be the duty of the clerk to ascertain the existence of the reparation security by examining the file and questioning the parties at or prior to entering judgment.

Subd. 3. [CONDITIONS.] The commissioner, upon receipt of a certified copy of a judgment, shall forthwith suspend the license or any nonresident's operating privilege, of any person against whom judgment was rendered if:

(a) At the time of the accident the person did not maintain the reparation security required by section 65B.48, and

(b) The judgment has not been satisfied.

Subd. 4. [DURATION.] A license or nonresident's operating privilege shall remain suspended and shall not be renewed, nor shall any license be thereafter issued in the name of the person, including any person not previously licensed, unless and until every judgment is satisfied in full or to the extent hereinafter provided.

Subd. 5. [BANKRUPTCY.] A discharge in bankruptcy shall not relieve an individual from any of the requirements of this section.

Sec. 3. [171.183] [SATISFACTION OF JUDGMENT.]

Subdivision 1. [REQUIREMENTS.] Judgments herein referred to shall, for the purposes of sections 1 to 3, be deemed satisfied:

(1) When \$10,000 has been credited upon any judgment or judgments rendered in excess of that amount because of bodily injury to or death of one person as the result of any one accident;

(2) When, subject to the limit of \$10,000 because of bodily injury to or death of one person, the sum of \$20,000 has been credited upon any judgment or judgments rendered in excess of that amount because of bodily injury to or death of two or more persons as the result of any one accident; or

(3) When \$2,000 has been credited upon any judgment or judgments rendered in excess of that amount because of damage to or destruction of property of others as a result of any one accident.

Subd. 2. [OTHER PAYMENTS CREDITED.] Payments made in settlement of any claims because of bodily injury, death or property damage arising from a motor vehicle accident shall be credited in reduction of the amounts provided for in this section.

Sec. 4. [171.184] [INSTALLMENT PAYMENTS.]

Subdivision 1. [AUTHORIZATION.] A judgment debtor upon due notice to the judgment creditor may apply to the court in which the judgment was rendered for the privilege of paying the judgment in instalments and the court, in its discretion and without prejudice to any other legal remedies which the judgment creditor may have, may so order and fix the amounts and times of payments of the instalments.

Subd. 2. [STAY OF SUSPENSION.] The commissioner shall not suspend a license or a nonresident's operating privilege when the judgment debtor gives proof of maintaining the reparation security required by section 65B.48 and obtains an order permitting the payment of the judgment in instalments, and while the payment of any installment is not in default.

Subd. 3. [TERMINATION OF STAY.] In the event the judgment debtor fails to pay any installment as specified by an order, then upon notice of default, the commissioner shall forthwith suspend the license, or nonresident's operating privilege, of the judgment debtor until the judgment is satisfied."

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 6, after the semicolon, insert "requiring the suspension of licenses of certain uninsured persons; providing a penalty;"

Page 1, line 7, after "subdivision" insert "; proposing new law coded in Minnesota Statutes, Chapter 171"

The motion prevailed. So the amendment was adopted.

The question was taken on the recommendation to pass S. F. No. 22.

The roll was called, and there were yeas 26 and nays 27, as follows:

Those who voted in the affirmative were:

Bang	Frederick	Nelson	Petty	Stumpf
Belanger	Johnson	Olhoft	Pillsbury	Tennessee
Chmielewski	Keefe	Pehler	Setzepfandt	
Davies	Knoll	Penny	Sieloff	
Davis	Knutson	Peterson, C. C.	Solon	
Dicklich	Merriam	Peterson, R. W.	Spear	

Those who voted in the negative were:

Benson	Frederickson	Lindgren	Ramstad	Ulland
Berglin	Hughes	Luther	Rued	Waldorf
Bernhagen	Kroening	Menning	Sikorski	Willet
Bertram	Kronebusch	Moe, D. M.	Stern	
Dahl	Langseth	Moe, R. D.	Stokowski	
Frank	Lantry	Peterson, D. L.	Taylor	

The motion did not prevail. S. F. No. 22 was then progressed.

S. F. No. 356, which the committee recommends to pass with the following amendments offered by Messrs. Johnson and Olhoft:

Mr. Johnson moved to amend S.F. No. 356 as follows:

Page 9, line 33, after "for" insert "(A) the value of property exempted from taxation pursuant to section 1, and (B)"

Page 9, lines 34 to 36, delete the new language

The motion prevailed. So the amendment was adopted.

Mr. Olhoft moved to amend S. F. No. 356 as follows:

Page 2, line 12, after "finding" insert "that it is necessary to provide the exemption to the new business facility in order to avoid location of the business in another state and"

The motion prevailed. So the amendment was adopted.

The question was taken on the recommendation to pass S. F. No. 356.

The roll was called, and there were yeas 37 and nays 19, as follows:

Those who voted in the affirmative were:

Bang	Frederick	Lessard	Peterson, C.C.	Sikorski
Benson	Frederickson	Lindgren	Peterson, D.L.	Stern
Bernhagen	Hanson	Menning	Petty	Taylor
Bertram	Johnson	Moe, R.D.	Pillsbury	Ulland
Brataas	Knoll	Nelson	Ramstad	Willet
Chmielewski	Kronebusch	Olhoft	Renneke	
Davis	Langseth	Pehler	Rued	
Engler	Lantry	Penny	Setzepfandt	

Those who voted in the negative were:

Belanger	Dicklich	Knutson	Peterson, R.W.	Stumpf
Berglin	Dieterich	Kroening	Sieloff	Vega
Dahl	Frank	Luther	Spear	Waldorf
Davies	Hughes	Merriam	Stokowski	

The motion prevailed.

H. F. No. 117, which the committee recommends to pass, after the following motions:

Mr. Ulland moved to amend H.F. No. 117, as amended pursuant to Rule 49, adopted by the Senate March 19, 1981, as follows:

(The text of the amended House File is identical to S.F. No. 324.)

Page 3, line 19, after "cash" insert "*except for that portion of general assistance grants for payment of rent which shall be in the form of vouchers or vendor payments*"

Amend the title as follows:

Page 1, line 13, before the semicolon, insert "and thereafter for rental payments"

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 29 and nays 32, as follows:

Those who voted in the affirmative were:

Bang	Engler	Lindgren	Renneke	Willet
Belanger	Frederick	Menning	Rued	
Benson	Frederickson	Olhoft	Setzepfandt	
Berg	Keefe	Penny	Sieloff	
Bernhagen	Knutson	Peterson, D.L.	Taylor	
Bertram	Kronebusch	Pillsbury	Ulland	
Brataas	Lessard	Ramstad	Waldorf	

Those who voted in the negative were:

Berglin	Hanson	Luther	Peterson, R.W.	Stokowski
Dahl	Hughes	Merriam	Petty	Stumpf
Davies	Humphrey	Moe, D. M.	Purfeerst	Tennessen
Davis	Johnson	Moe, R. D.	Sikorski	Vega
Dicklich	Knoll	Nelson	Solon	
Dieterich	Kroening	Pehler	Spear	
Frank	Lantry	Peterson, C.C.	Stern	

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

Mr. Ulland then moved to amend H.F. No. 117, as amended pursuant to Rule 49, adopted by the Senate March 19, 1981, as follows:

(The text of the amended House File is identical to S.F. No. 324.)

Page 2, line 12, after *“that”* insert *“the applicant makes written application for”* and delete *“is first”*

Page 2, delete line 13

Page 2, line 14, delete *“requesting”* and insert *“may request emergency”* and after *“assistance”* insert *“if the applicant”*

Page 2, line 17, delete *“A”* and insert *“If the local agency determines that the”* and after *“person”* insert *“is”* and after *“assistance”* insert *“, the local agency”*

Page 2, line 18, delete *“be granted”* and insert *“grant”*

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 28 and nays 31, as follows:

Those who voted in the affirmative were:

Bang	Chmielewski	Kronebusch	Penny	Rued
Belanger	Dahl	Lessard	Peterson, D.L.	Sieloff
Benson	Engler	Lindgren	Pillsbury	Taylor
Berg	Frederickson	Menning	Purfeerst	Ulland
Bernhagen	Keefe	Merriam	Ramstad	
Bertram	Knutson	Olhoft	Renneke	

Those who voted in the negative were:

Berglin	Hughes	Moe, D. M.	Sikorski	Vega
Davies	Humphrey	Moe, R. D.	Solon	Waldorf
Davis	Johnson	Nelson	Spear	Willett
Dicklich	Knoll	Pehler	Stern	
Dieterich	Kroening	Peterson, C.C.	Stokowski	
Frank	Lantry	Petty	Stumpf	
Hanson	Luther	Setzepfandt	Tennessee	

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

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

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

MOTIONS AND RESOLUTIONS

Mr. Chmielewski moved that S. F. No. 1101 be withdrawn from the Committee on Governmental Operations and re-referred to the Committee on Rules and Administration. The motion prevailed.

INTRODUCTION AND FIRST READING OF SENATE BILLS

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

Messrs. Humphrey, Stumpf and Wegener introduced—

S.F. No. 1193: A bill for an act relating to the city of Crystal; providing for the designation of polling places in a certain precinct.

Referred to the Committee on Local Government and Urban Affairs.

Messrs. Frederick, Chmielewski, Wegener, Rued and Berg introduced—

S.F. No. 1194: A bill for an act relating to taxation; property tax refund; excluding from eligibility certain residents of institutions; amending Minnesota Statutes 1980, Section 290A.03, Subdivision 8.

Referred to the Committee on Taxes and Tax Laws.

Mr. Waldorf introduced—

S.F. No. 1195: A bill for an act relating to crimes; deleting obsolete terminology and substituting new terminology consistent with other laws; amending Minnesota Statutes 1980, Sections 192A.605; 241.51, Subdivision 2; 609.11, Subdivision 1; 624.712, Subdivision 5; and 626A.05, Subdivision 2.

Referred to the Committee on Judiciary.

Mr. Wegener introduced—

S.F. No. 1196: A bill for an act relating to highways; modifying restrictions on the loading of vehicles driven on the highways; amending Minnesota Statutes 1980, Section 169.81, Subdivision 5.

Referred to the Committee on Transportation.

Mr. Hughes introduced—

S.F. No. 1197: A bill for an act relating to state government; clarifying fee adjustments and minimum deposits with the state treasurer; facilitating the general fund's receipt of amounts from canceled warrants; modifying provisions relative to the state's issuance of certificates of indebtedness; appropriating money for the payment of certificates, interest thereon and other expenses; authorizing a state property tax under certain conditions; amending Minnesota Statutes 1980, Sections 16A.128 and 16A.275; proposing new law coded in Minnesota Statutes, Chapter 16; repealing Minnesota Statutes 1980, Sections 16A.67; 16A.75 to 16A.754; 268.15, Subdivision 4; 352.04, Subdivision 10; 352B.061; and 354.61.

Referred to the Committee on Governmental Operations.

Mr. Pehler introduced—

S.F. No. 1198: A bill for an act relating to public welfare; requiring medical assistance recipients to enroll in a prepaid health care plan or co-pay for optional services; amending Minnesota Statutes 1980, Section 256B.02, Subdivision 8.

Referred to the Committee on Health, Welfare and Corrections.

Mr. Langseth introduced—

S.F. No. 1199: A bill for an act relating to game and fish; restricting commercial fishing on Lake of the Woods and Rainy Lake to rough fish only; amending Minnesota Statutes 1980, Section 102.26, Subdivisions 1 and 3.

Referred to the Committee on Agriculture and Natural Resources.

Messrs. Ulland and Solon introduced—

S.F. No. 1200: A bill for an act relating to St. Louis county; establishing a law library.

Referred to the Committee on Local Government and Urban Affairs.

Mr. Langseth introduced—

S.F. No. 1201: A bill for an act relating to crimes; providing for distribution of proceeds from sale of forfeited property; amending Minnesota Statutes 1980, Section 152.19, Subdivision 5.

Referred to the Committee on Judiciary.

Messrs. Humphrey, Bernhagen, Berg, Johnson and Solon introduced—

S.F. No. 1202: A bill for an act relating to taxation; providing an income tax credit for electric heating equipment designed or equipped to function in accordance with a utility controlled monitoring device; amending Minnesota Statutes 1980, Section 290.06, by adding a subdivision.

Referred to the Committee on Energy and Housing.

Messrs. Menning, Setzepfandt, Bernhagen and Renneke introduced—

S.F. No. 1203: A bill for an act relating to occupations and professions; expanding the definition of a class B master electrician to encompass specified work done in commercial and family dwellings in certain towns and municipalities; amending Minnesota Statutes 1980, Section 326.01, Subdivision 6.

Referred to the Committee on Governmental Operations.

Mr. Merriam introduced—

S.F. No. 1204: A bill for an act relating to the city of Blaine; permitting all council members to serve on the housing and redevelopment authority.

Referred to the Committee on Local Government and Urban Affairs.

Mr. Kroening introduced—

S.F. No. 1205: A bill for an act relating to taxation; real property; allowing property used by certain disabled veterans to qualify for 3cc classification; amending Minnesota Statutes 1980, Section 273.13, Subdivision 7.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Bang, Keefe, Johnson, Setzepfandt and Rued introduced—

S.F. No. 1206: A bill for an act relating to public safety; authorizing the sale to and use by engineers of fireworks; amending Minnesota Statutes 1980, Section 624.21.

Referred to the Committee on General Legislation and Administrative Rules.

Messrs. Stern, Tennesen, Petty, Bang and Sikorski introduced—

S.F. No. 1207: A bill for an act relating to intoxicating liquor; providing an

exemption for franchise fees; amending Minnesota Statutes 1980, Section 340.13, Subdivision 3.

Referred to the Committee on Commerce.

Mrs. Brataas, Messrs. Frederick, Ramstad and Nichols introduced—

S.F. No. 1208: A bill for an act relating to workers' compensation; patterning the law after the law of Wisconsin; generally changing all facets of the workers' compensation law; amending Minnesota Statutes 1980, Sections 10.30; 43.12, Subdivision 18; 60B.26, Subdivision 1; 60B.39, Subdivision 5; 60C.02, Subdivision 1; 62A.22; 70A.02, Subdivision 2; 84.089, Subdivision 3; 175.006; 175.07; 175.08; 175.10; 175.101; 175.11, Subdivision 1; 175.14; 175.17; 181.80; 251.043, Subdivision 3; 256.482, Subdivision 5; 257.34, Subdivision 1; 393.07, Subdivision 7; proposing new law coded in Minnesota Statutes, Chapter 175; proposing new law coded as Minnesota Statutes, Chapters 79A and 176A; repealing Minnesota Statutes 1980, Sections 175.0061; 175.007; and 175.09 and Chapters 79 and 176.

Referred to the Committee on Employment.

Messrs. Ramstad, Keefe, Merriam, Lessard and Peterson, D.L. introduced—

S.F. No. 1209: A bill for an act relating to crimes; defining terms for purposes of arson laws; establishing mandatory minimum prison sentences for arson in the first degree and arson in the second degree; increasing penalties for certain negligent fires; prohibiting removal or concealment of property to defraud an insurer; prohibiting submission of false insurance claims; amending Minnesota Statutes 1980, Sections 609.556, by adding subdivisions; 609.561; 609.562; 609.576; 609.611; and 609.645.

Referred to the Committee on Judiciary.

Messrs. Taylor, Merriam, Lindgren, Frank and Ramstad introduced—

S.F. No. 1210: A bill for an act relating to elected public officials; limiting certain per diem payments; proposing new law coded in Minnesota Statutes, Chapter 16.

Referred to the Committee on Governmental Operations.

Mrs. Brataas, Messrs. Davies, Nelson, Merriam and Bernhagen introduced—

S.F. No. 1211: A bill for an act relating to courts; permitting the use of electronic recording equipment in certain court proceedings; amending Minnesota Statutes 1980, Sections 486.02; and 486.03; proposing new law coded in Minnesota Statutes, Chapter 484.

Referred to the Committee on Judiciary.

Messrs. Davis, Pehler, Stern, Peterson, R.W. and Mrs. Kronebusch introduced—

S.F. No. 1212: A bill for an act relating to municipalities; discontinuance of

unprofitable municipal liquor stores; restricting expenditure of public funds for liquor store operation; publication of operating statement; amending Minnesota Statutes 1980, Section 340.353, by adding a subdivision; proposing new law coded in Minnesota Statutes, Chapters 426 and 471.

Referred to the Committee on Local Government and Urban Affairs.

Mr. Sikorski introduced—

S.F. No. 1213: A bill for an act relating to metropolitan government; providing for metropolitan transportation planning; altering the decision making process to be consistent with federal guidelines for setting the priority of projects using certain federal funds; amending Minnesota Statutes 1980, Section 473.146, Subdivision 4.

Referred to the Committee on Transportation.

Messrs. Waldorf and Spear introduced—

S.F. No. 1214: A bill for an act relating to adoption; providing for record retention; providing for services by adoption agencies; proposing new law coded in Minnesota Statutes, Chapter 259.

Referred to the Committee on Judiciary.

Messrs. Johnson, Humphrey, Pehler, Knoll and Dicklich introduced—

S.F. No. 1215: A bill for an act relating to public utilities; prohibiting rate increases under bond by certain electric utilities with excess generating capacities; amending Minnesota Statutes 1980, Section 216B.16, Subdivision 3, and by adding a subdivision.

Referred to the Committee on Commerce.

Messrs. Johnson, Humphrey, Pehler, Knoll and Dicklich introduced—

S.F. No. 1216: A bill for an act relating to public utilities; exclusion of excess generating capacity from an electric utilities rate base; amending Minnesota Statutes 1980, Section 216B.16, by adding a subdivision.

Referred to the Committee on Commerce.

Mr. Dieterich introduced—

S.F. No. 1217: A bill for an act relating to education; imposing affirmative action duties on school districts and the state board of education; providing a penalty for school districts which fail to fulfill the duties; authorizing a program of grants for certain administrative interns; appropriating money; amending Minnesota Statutes 1980, Sections 124.15, Subdivision 2; 125.12, Subdivision 6b; proposing new law coded in Minnesota Statutes, Chapter 123.

Referred to the Committee on Education.

Mr. Luther introduced—

S.F. No. 1218: A bill for an act relating to the environment; providing

approval authority for critical areas only to the legislature; providing plan and regulation approval authority to the state planning agency; permanently designating the Mississippi River Corridor Critical Area; amending Minnesota Statutes 1980, Sections 116G.03, by adding a subdivision; 116G.04; 116G.06; 116G.07; 116G.08; 116G.09, Subdivisions 1, 3, and 4; 116G.10; 116G.12, Subdivision 4; and 116G.14; proposing new law coded in Minnesota Statutes, Chapter 116G; repealing Minnesota Statutes 1980, Section 116G.09, Subdivision 2.

Referred to the Committee on Agriculture and Natural Resources.

Messrs. Davis; Chmielewski; Peterson, R.W.; Peterson, D.L. and Setzepfandt introduced—

S.F. No. 1219: A bill for an act relating to the environment; requiring notice of intent to develop uranium; creating an advisory committee; requiring adoption of a state policy; appropriating money; imposing a penalty; proposing new law coded in Minnesota Statutes, Chapter 116C.

Referred to the Committee on Agriculture and Natural Resources.

Mr. Dahl, Mmes. Lantry and Stokowski introduced—

S.F. No. 1220: A bill for an act relating to limitation of actions; providing a five year statute of limitations for criminal sexual offenses; tolling the statute of limitations for victims of criminal sexual conduct; amending Minnesota Statutes 1980, Section 628.26.

Referred to the Committee on Judiciary.

Messrs. Luther and Humphrey introduced—

S.F. No. 1221: A bill for an act relating to the city of Brooklyn Center; authorizing the establishment of a home energy conservation program as part of its municipal utility system and the issuance of bonds or notes for that purpose.

Referred to the Committee on Energy and Housing.

Mr. Pillsbury introduced—

S.F. No. 1222: A bill for an act relating to elections; requiring loan repayments in an election year to be counted against certain contribution and approved expenditure limits; amending Minnesota Statutes 1980, Section 10A.32, Subdivision 3.

Referred to the Committee on Elections and Reapportionment.

Messrs. Pehler and Knutson introduced—

S.F. No. 1223: A bill for an act relating to water well contractors; altering the exemption from license requirements for certain registered professional engineers; amending Minnesota Statutes 1980, Section 156A.03, Subdivision 3.

Referred to the Committee on Governmental Operations.

Mr. Dahl introduced—

S.F. No. 1224: A bill for an act relating to taxation; increasing the amount of adoption expenses deductible for income tax purposes; amending Minnesota Statutes 1980, Section 290.09, Subdivision 27.

Referred to the Committee on Taxes and Tax Laws.

Mr. Vega introduced—

S.F. No. 1225: A bill for an act relating to workers' compensation; permitting political subdivisions to provide additional benefits; amending Minnesota Statutes 1980, Section 176.021, Subdivision 5.

Referred to the Committee on Employment.

Mr. Peterson, C.C. introduced—

S.F. No. 1226: A bill for an act relating to courts; extending application of the provision of law providing for payment of travel expenses for certain district court judges; amending Laws 1980, Chapter 614, Section 162.

Referred to the Committee on Judiciary.

Mr. Luther introduced—

S.F. No. 1227: A bill for an act relating to financial institutions; providing that no employee, officer, director, or shareholder of a banking institution, or corporation, partnership, association in which these persons have an interest, may retain income from the sale of credit life, accident and health insurance in connection with any loan made by the banking institution; providing that the income must be turned over to the banking institution; proposing new law coded in Minnesota Statutes, Chapter 48.

Referred to the Committee on Commerce.

Messrs. Pehler, Dicklich and Davis introduced—

S.F. No. 1228: A bill for an act relating to cities; authorizing city rehabilitation loan programs for small and medium sized commercial buildings; and providing for the issuance of revenue bonds to finance the programs; proposing new law coded in Minnesota Statutes, Chapter 459.

Referred to the Committee on Local Government and Urban Affairs.

Messrs. Peterson, C.C.; Lessard; Wegener; Willet and Johnson introduced—

S.F. No. 1229: A bill for an act relating to game and fish; setting forth a model city trapping ordinance; restricting further prohibitions; providing for imposition of a penalty; proposing new law coded in Minnesota Statutes, Chapter 100.

Referred to the Committee on Agriculture and Natural Resources.

Mrs. Lantry, Messrs. Waldorf and Stumpf introduced—

S.F. No. 1230: A bill for an act relating to the city of St. Paul; authorizing issuance of general obligation bonds for capital improvements; fixing amounts; amending Laws 1971, Chapter 773, Section 1, as amended.

Referred to the Committee on Local Government and Urban Affairs.

Messrs. Petty and Pillsbury introduced—

S.F. No. 1231: A bill for an act relating to waters; exempting certain watercraft from requirements related to personal flotation devices; amending Minnesota Statutes 1980, Section 361.141, Subdivision 1.

Referred to the Committee on Agriculture and Natural Resources.

RECESS

Mr. Moe, R. D. moved that the Senate do now recess until 5:00 p.m. The motion prevailed.

The hour of 5:00 p.m. having arrived, the President called the Senate to order.

RECESS

Mr. Davies announced that the Senate will be in recess subject to the call of the President.

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

Without objection, the Senate reverted to the Order of Business of Messages from the House.

MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, herewith returned: S. F. No. 52.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned April 6, 1981

Mr. President:

I have the honor to announce that the House has adopted the recommendation and report of the Conference Committee on Senate File No. 247, and repassed said bill in accordance with the report of the Committee, so adopted.

S. F. No. 247: A bill for an act relating to metropolitan government; providing for the maximum amount of the borrowing authorization of the metropolitan airports commission; requiring the installation of certain equipment;

mandating a noise abatement plan; amending Minnesota Statutes 1980, Sections 473.608, Subdivision 20, and by adding a subdivision; and 473.667, Subdivision 2.

S. F. No. 247 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned April 6, 1981

Mr. President:

I have the honor to announce the passage by the House of the following House Files, herewith transmitted: H. F. Nos. 147, 876, 918, 1075, 131, 409, 575, 1083, 347, 353, 595 and 604.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted April 6, 1981

Mr. President:

I have the honor to announce the passage by the House of the following House Files, herewith transmitted: H. F. Nos. 519, 579, 624, 634, 739, 615 and 617.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted April 6, 1981

FIRST READING OF HOUSE BILLS

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

H. F. No. 147: A bill for an act relating to courts; authorizing the supreme court to adopt a uniform fee schedule for civil actions; proposing new law coded in Minnesota Statutes, Chapter 480:

Referred to the Committee on Judiciary.

H. F. No. 876: A bill for an act relating to employment; authorizing the commissioner of economic security to make certain summer youth employment advances; amending Minnesota Statutes 1980, Section 268.34.

Referred to the Committee on Rules and Administration for comparison with S. F. No. 581; now on General Orders.

H. F. No. 918: A bill for an act relating to cooperatives; procedure for elections by members or shareholders of cooperative electric associations on public utilities commission regulation; amending Minnesota Statutes 1980, Section 216B.02, Subdivision 4; proposing new law coded in Minnesota Statutes, Chapter 216B.

Referred to the Committee on Commerce.

H. F. No. 1075: A bill for an act relating to social and charitable organizations; increasing the threshold dollar amount required for the use of a certified financial statement; determining what is properly included in cost of goods or services; amending Minnesota Statutes 1980, Sections 309.53, Subdivision 3; and 309.555, Subdivision 2.

Referred to the Committee on Rules and Administration for comparison with S. F. No. 991.

H. F. No. 131: A bill for an act relating to crimes; authorizing the release of account information to law enforcement authorities investigating the issuance of worthless checks; authorizing the issuance of account information to payee or holders when a check has been dishonored; amending Minnesota Statutes 1980, Section 609.535, by adding subdivisions.

Referred to the Committee on Rules and Administration for comparison with S. F. No. 154, now on General Orders.

H. F. No. 409: A bill for an act relating to agriculture; requiring department of agriculture approval and receipt of certain grain storage receipts; regulating the family farm security program; changing terms of members of the family farm advisory council; regulating denaturing of certain food; identifying fur pelts; amending Minnesota Statutes 1980, Sections 17.35, Subdivision 7; 31.095; 41.52, Subdivisions 5, 8 and 9; 41.54, Subdivision 2; 41.56, Subdivisions 1, 2 and 4; 41.58, Subdivision 2; 232.06, Subdivision 1; 233.03; 234.02; 236.03; and 290.08, Subdivision 24; repealing Minnesota Statutes 1980, Section 29.091.

Referred to the Committee on Taxes and Tax Laws.

H. F. No. 575: A bill for an act relating to intoxicating liquor; authorizing cities to permit on-sale of liquor at publicly owned sports or convention facilities by existing licensees; amending Minnesota Statutes 1980, Section 340.11, by adding a subdivision.

Referred to the Committee on Commerce.

H. F. No. 1083: A bill for an act relating to charitable trusts; transferring responsibility of keeping certain records; amending Minnesota Statutes 1980, Sections 501.75; 501.76; 501.77; and 501.78, Subdivision 4.

Referred to the Committee on Rules and Administration for comparison with S. F. No. 990, now on the Consent Calendar.

H. F. No. 347: A bill for an act relating to the cities of St. Paul and Minneapolis; exempting a certain joint housing bonding program from the provisions of Minnesota Statutes, Section 462C.07, Subdivision 2.

Referred to the Committee on Rules and Administration for comparison with S. F. No. 523.

H. F. No. 353: A bill for an act relating to agriculture; protecting agricultural operations from nuisance suits under certain circumstances; proposing new law coded in Minnesota Statutes, Chapter 561.

Referred to the Committee on Agriculture and Natural Resources.

H. F. No. 595: A bill for an act relating to the state building code, authorizing stricter fire prevention standards in certain municipalities; proposing new law coded in Minnesota Statutes, Chapter 16.

Referred to the Committee on Governmental Operations.

H. F. No. 604: A bill for an act relating to elections; changing eligibility requirements and compensation for election judges; authorizing time off from

work for election judges; amending Minnesota Statutes 1980, Sections 204A.18; and 204A.23.

Referred to the Committee on Rules and Administration for comparison with S. F. No. 791, now on General Orders.

H. F. No. 519: A bill for an act relating to individual housing accounts; providing for the subtraction from federal adjusted gross income of certain contributions to and interest earned on individual housing accounts; repealing the deduction for individual housing account contributions and interest; clarifying various provisions relating to individual housing accounts; amending Minnesota Statutes 1980, Sections 48.159, Subdivision 2; 50.157, Subdivision 2; 51A.21, Subdivision 16a; 52.136; 290.01, Subdivision 20; 290.08, by adding a subdivision; and 290.17, Subdivision 2; repealing Minnesota Statutes 1980, Section 290.09, Subdivision 30.

Referred to the Committee on Energy and Housing.

H. F. No. 579: A bill for an act relating to financial institutions; allowing new mortgage instruments; modifying rate restrictions on certain loans; providing a maximum late charge on certain loans; amending Minnesota Statutes 1980, Section 47.20, Subdivisions 1, 2, 4, 4a, 6, 12 and by adding subdivisions.

Referred to the Committee on Rules and Administration for comparison with S. F. No. 517.

H. F. No. 624: A bill for an act relating to corrections; clarifying the transfer of correctional inmates to medical facilities; providing for tuberculosis testing for correctional employees; clarifying unclaimed property of correctional inmates, and diversified labor accounts; changing terminology of correctional facilities; harmonizing furlough provisions; prescribing the time for counties to submit estimates for reimbursement for probation services; prescribing a penalty; amending Minnesota Statutes 1980, Sections 241.07; 241.09; 241.14; 241.22; 241.64, Subdivisions 1 and 2; 242.20; 242.22; 242.43; 242.44; 242.45; 242.47; 242.48; 243.05; 243.20; 243.211; 243.465; 243.57; 243.58; 243.64; 244.07, Subdivision 1; 260.311, Subdivision 5; repealing Minnesota Statutes 1980, Sections 241.01, Subdivision 8; 241.15; 242.23; 242.24; 242.375; 242.52; 242.53; 243.06; 243.22; 243.25; 243.26; and 243.78.

Referred to the Committee on Rules and Administration for comparison with S. F. No. 509, now on General Orders.

H. F. No. 634: A bill for an act relating to securities; providing for improved regulation of the sale of securities and the licensing of broker-dealers, agents, and investment advisers; making miscellaneous clarifications and revisions; amending Minnesota Statutes 1980, Sections 80A.04, Subdivision 4; 80A.05, Subdivision 1; 80A.07, Subdivision 1; 80A.12, Subdivision 3; 80A.14; 80A.15, Subdivisions 1 and 2; 80A.16; 80A.21, Subdivision 1; 80A.28, Subdivisions 1, 2, 3, 4 and 7, and by adding a subdivision; 80A.30, Subdivision 2.

Referred to the Committee on Rules and Administration for comparison with S. F. No. 529, now on General Orders.

H. F. No. 739: A bill for an act relating to local government; regulating the tax levy of the joint recreation and park board of the city of Hibbing and

Independent School District 701; amending Laws 1971, Chapter 573, Section 2.

Referred to the Committee on Taxes and Tax Laws.

H. F. No. 615: A bill for an act relating to corrections; providing for the transfer of convicted offenders under certain circumstances; proposing new law coded in Minnesota Statutes, Chapter 243.

Referred to the Committee on Judiciary.

H. F. No. 617: A resolution memorializing the President, Congress, and the United States Postal Service of Minnesota's opposition to the nine digit zip code.

Referred to the Committee on General Legislation and Administrative Rules.

REPORTS OF COMMITTEES

Mr. Moe, R.D. moved that the Committee Reports at the Desk be now adopted, with the exception of the report on House Concurrent Resolution No. 2. The motion prevailed.

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

S. F. No. 475: A bill for an act relating to courts; permitting all judicial districts except Hennepin county to set salaries of law clerks; clarifying employment status in every judicial district to be unclassified and without tenure; amending Minnesota Statutes 1980, Section 484.545, Subdivision 2, and by adding a subdivision.

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

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

S. F. No. 718: A bill for an act relating to marriage; making the age of consent requirements for boys the same as for girls; amending Minnesota Statutes 1980, Section 517.02.

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

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

S. F. No. 535: A bill for an act relating to corporations; providing for the issuance of stock in a professional corporation to a professional corporation performing the same kind of service; providing for the transfer of stock to a professional corporation; amending Minnesota Statutes 1980, Section 319A.11.

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

Page 1, line 16, after "render" insert "*or partnerships*"

Page 1, line 16, delete "*a*"

Page 1, line 17, delete "*corporation*" and insert "*corporations*"

Page 1, line 18, after "person" insert ", partnership"

Page 1, line 20, after "person" insert ", partnership"

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. 707: A bill for an act relating to family; providing for solemnization of marriages by certain court officers; amending Minnesota Statutes 1980, Section 517.04.

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

Page 1, lines 11 and 12, delete the new language and insert "*a former court commissioner so long as he continues to be employed by the court system,*"

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. 476: A bill for an act relating to crimes; providing the court with discretion to require a presentence investigation in the case of felony convictions; amending Minnesota Statutes 1980, Section 609.115, Subdivision 1.

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

Page 1, after line 22, insert:

"When a defendant has been convicted of a felony, and before sentencing, the court shall cause a sentencing worksheet to be completed to facilitate the application of the Minnesota sentencing guidelines. If a presentence investigation is ordered by the court, the worksheet shall be submitted as part of the presentence investigation report. If a presentence investigation is not ordered by the court, the worksheet shall nonetheless be submitted."

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. 574: A bill for an act relating to judicial procedures; changing certain provisions relating to guardianship and conservatorship; amending Minnesota Statutes 1980, Sections 525.539, Subdivision 3; 525.54; 525.541; 525.542; 525.543; 525.55; 525.551; 525.5515; 525.56, Subdivisions 3 and 4; 525.58; 525.591, Subdivisions 2 and 3; 525.618, Subdivision 1; 525.6185; 525.619; 525.6192; 525.6196; 525.6198; 525.62; 525.67; 525.69; and 525.703.

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

Page 1, line 16, reinstate "some, but not all,"

Page 1, line 17, delete "such"

Page 1, line 17, delete "as the court directs"

Page 1, after line 18, insert:

"Sec. 2. Minnesota Statutes 1980, Section 525.539, is amended by adding a subdivision to read:

Subd. 6. [VISITOR.] "Visitor" means a person who is trained in law, health care, or social work and is an officer, employee, or special appointee of the court with no personal interest in the proceedings."

Page 2, line 6, strike "by reason of mental"

Page 2, line 6, delete "illness, mental deficiency,"

Page 2, delete line 7

Page 2, line 8, delete "drugs or intoxication, or other cause"

Page 2, line 11, strike "evidences" and insert "evidence"

Page 2, line 23, strike the second "that" and insert "the"

Page 2, line 26, strike "wasted or"

Page 2, line 30, delete "or desirable"

Page 2, line 34, strike "by reason of mental"

Page 2, line 34, delete "illness, mental"

Page 2, delete line 35

Page 2, line 36, delete "chronic use of drugs or intoxication, or other cause,"

Page 3, line 4, strike "evidences" and insert "evidence"

Page 3, line 8, strike "APPOINTMENT AS EVIDENCE OF CAPACITY" and insert "VOTING"

Page 3, line 10, after the stricken "person." insert "The appointment of a conservator shall not deprive the conservatee of the right to vote, unless the right is restricted by court order."

Page 3, line 11, reinstate "Subd. 5." and insert "[COMPETENCY.]"

Page 3, lines 15 to 17, strike the old language and delete the new language and insert "Appointment of a guardian is evidence of the incompetency of the incapacitated person. Appointment of a conservator is not evidence of incompetency."

Page 3, line 18, delete "5" and reinstate "6"

Page 3, line 22, delete "6" and insert "7"

Page 3, line 23, after "proceeding" insert "under section 525.551"

Page 3, line 23, delete "as" and insert "for the appointment of a guardian or conservator"

Page 3, delete line 24

Page 3, line 25, delete "of a person"

Page 3, line 25, delete "without" and insert "instead of"

Page 4, line 27, before "The" insert "Subdivision 1. [INFORMATION.]"

Page 4, line 29, after the second "his" insert "*living*"

Page 4, line 30, delete "*, if they are living*"

Page 4, line 30, strike "*and siblings*" and insert "*brothers and sisters*"

Page 4, line 33, strike "*reasons*" and insert "*grounds*"

Page 5, line 12, delete "*, (9)*" and insert "*.*"

Subd. 2. [BILL OF PARTICULARS.]

Page 5, line 12, delete "*, which*"

Page 5, line 15, after "*ward*" insert "*or conservatee*"

Page 5, line 15, delete "*, and in any event shall be*" and insert "*or prior to the hearing, whichever is sooner*"

Page 5, delete line 16

Page 5, line 17, delete "*hearing on the petition*"

Page 6, line 16, strike "*siblings*" and insert "*brothers and sisters*"

Page 6, line 22, after "*thereof*" insert "*and to the patient or resident*"

Page 7, line 18, delete "*A 'visitor' is a person who*"

Page 7, delete lines 19 to 21

Page 7, lines 32 and 33, strike "*letter*" and insert "*written statement*"

Page 8, line 4, after "*525.55*" insert "*and the proposed ward or conservatee has waived the right to attend the hearing*"

Page 8, line 28, after the colon, insert "*(a) that the requirements for the voluntary appointment of a conservator or guardian have been met, or (b)*"

Page 8, line 36, after "*525.56,*" insert "*subdivision 3,*"

Page 8, line 36, after "*guardian*" insert "*of the person, and section 525.56, subdivision 4, in the case of a guardian of the estate*"

Page 9, line 1, strike "*Before*"

Page 9, line 2, strike "*appointing a guardian or conservator*" and insert "*Except as provided in section 525.544*"

Page 9, line 6, before the period, insert "*before making the appointment*"

Page 9, line 10, delete "*for*" and insert "*by*"

Page 9, line 21, after "*person*" insert "*or by the court on its own motion*"

Page 9, line 29, after "*a*" insert "*guardian,*"

Page 9, line 29, after "*successor*" insert "*guardian or*"

Page 9, line 30, after "*the*" insert "*ward or*"

Page 10, line 8, delete "*and*"

Page 10, line 8, after "*(c)*" insert "*whether it is of the estate or of the person or both; and*"

Page 10, line 9, reinstate "*(d)*"

Page 10, line 27, strike "of"

Page 10, line 32, reinstate the stricken language and delete "or"

Page 11, line 13, reinstate the stricken language

Page 11, reinstate line 14

Page 11, line 14, strike "has the duty to" and insert "should"

Page 11, reinstate lines 15 to 17

Page 11, line 17, after the period, insert "*Failure to satisfy the needs and requirements of this clause shall be grounds for removal, but the guardian or conservator shall have no personal or monetary liability.*"

Page 12, line 6, after "guardian" insert "or conservator"

Page 12, lines 7 and 8, after "ward" insert "or conservatee"

Page 13, delete lines 10 to 12

Page 13, line 17, strike "of"

Page 13, line 22, reinstate the stricken language and delete "or"

Page 14, line 1, delete ", but shall have no personal liability for"

Page 14, line 2, delete "failure to do so" and insert ". Failure to satisfy the needs and requirements of this clause shall be grounds for removal, but the guardian or conservator shall have no personal or monetary liability"

Page 14, line 25, before "A" insert "*The standard of a fiduciary shall be applicable to all investments by a guardian or conservator.*"

Page 15, line 8, delete the new language and insert "*except where expressly waived by the court after a finding that the ward or conservatee is so incapacitated as to be unable to understand the account or there is a serious likelihood of harm to the ward or conservatee*"

Page 15, delete line 9

Page 15, line 10, delete "detrimental to the ward"

Page 15, line 35, delete "notice would be detrimental" and insert "or there is a serious likelihood of harm to the ward or conservatee"

Page 15, line 36, delete the new language

Page 16, line 13, delete "of the estate"

Page 16, line 14, strike "a copy of the annual account"

Page 16, line 15, strike "and"

Page 16, line 16, before the period, insert "*and every guardian or conservator of an estate shall file an affidavit stating that a copy of the annual account has been given to the ward or conservatee*"

Page 16, line 20, delete "or without"

Page 16, line 24, delete ", when required,"

Page 17, line 19, strike "siblings" and insert "brothers and sisters"

Page 21, delete line 6

Page 21, line 7, delete "*it is directed by the court*" and insert "*except that the court may waive the requirement that the annual account be served on the ward*"

Page 21, line 17, after "*for*" insert "*one or*"

Page 21, line 17, delete "*than three*"

Page 22, line 5, strike "*with*"

Page 22, line 5, delete "*or*"

Page 22, line 5, after "*without*" insert "*further*"

Page 22, line 5, strike "*as*"

Page 22, strike line 6

Page 22, line 7, strike "*required*"

Page 22, line 31, delete the comma and insert "*or*"

Page 22, line 32, delete "*or social worker*"

Page 23, line 2, after the period, insert "*When the court determines that other necessary services have been provided for the benefit of the ward or conservatee, the court may order reasonable fees to be paid from the estate of the ward or conservatee or from the county having jurisdiction over the proceedings if the ward or conservatee is indigent.*"

Page 23, delete lines 3 to 6 and insert "*the court determines that a petitioner, guardian or conservator has not acted in good faith, the court shall order some or all of the fees or costs incurred in the proceedings to be borne by those not acting in good faith.*"

Sec. 25. [525.705] [PRE-EXISTING GUARDIANSHIPS AND CONSERVATORSHIPS.]

All guardians and conservators serving prior to August 1, 1981, shall have all powers and duties of section 525.56, subdivision 3, as to the person and section 525.56, subdivision 4, as to the estate until those powers or duties are restricted or changed by court order.

Sec. 26. [REPEALER.]

Minnesota Statutes 1980, Section 525.504, is repealed."

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 5, after "*3*" insert "*, and by adding a subdivision*"

Page 1, line 10, before the period, insert "*; proposing new law coded in Minnesota Statutes, Chapter 525; repealing Minnesota Statutes 1980, Section 525.504*"

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

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

S. F. No. 822: A bill for an act relating to occupations and professions;

providing for oral examinations of electricians by the board of electricity; amending Minnesota Statutes 1980, Section 326.242, Subdivision 7.

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

Page 1, line 17, delete "*learning*" and insert "*reading*"

Page 1, line 18, delete "*learning*" and insert "*specific reading*" and delete "*or other*"

Page 1, line 19, delete "*handicap*"

Page 1, line 20, after the period insert "*The oral examination shall be structured so that an applicant who passes the examination will not impair the safety of himself or others while acting as an electrician.*"

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

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

S. F. No. 964: A bill for an act relating to human rights; requiring certain state contractors to have affirmative action plans approved by the commissioner of human rights; amending Minnesota Statutes 1980, Section 363.073; proposing new law coded in Minnesota Statutes, Chapter 363.

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

Page 1, line 20, after "*more*" insert "*full time*" and after "*Minnesota*" insert "*at any time during the previous 12 months,*"

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

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

S. F. No. 982: A bill for an act relating to the city of St. Cloud; authorizing the improvement and operation of the city-owned Mississippi River dam to provide for generation and transmission of hydroelectric power, and the issuance of revenue bonds to finance the project.

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

Page 2, after line 1, insert:

"Sec. 3. [BLUE EARTH COUNTY DAM.]

The county of Blue Earth may improve the dam on the Rapidan River now owned by the county by constructing or reconstructing a power house, installing power generation facilities, excavation and riprapping, and providing all other work and materials necessary to complete a functioning plant to be owned and operated by the county for the generation of hydroelectric power to be sold for public use.

Sec. 4. [POWERS; BONDS.]

To construct, operate, and finance the plant, the county may exercise by

resolutions of the county board all of the powers granted to a municipal power agency under Minnesota Statutes, Sections 453.54 to 453.57 and 453.59 to 453.62 with respect to a similar project, and without limitation by the provisions of any other law except that bonds or notes issued for this purpose, and the interest and redemption premiums on them, shall be payable exclusively from the revenues of the project."

Page 2, line 3, before "This" insert "Sections 1 and 2 of"

Page 2, line 3, delete "is" and insert "are"

Page 2, line 5, after the period insert "Sections 3 and 4 of this act are effective the day after compliance with Minnesota Statutes, Section 645.021, Subdivision 3, by the board of county commissioners of Blue Earth County."

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 2, delete "the city of St. Cloud" and insert "local government"

Page 1, line 3, delete "the city-owned"

Page 1, line 4, delete "Mississippi River dam" and insert "dams"

Page 1, line 6, delete "project" and insert "projects"

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

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

S. F. No. 73: A bill for an act relating to commerce; limiting projects for municipal industrial development; repealing Minnesota Statutes 1980, Section 474.02, Subdivisions 1a and 1b.

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

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1980, Section 474.01, Subdivision 7a, is amended to read:

Subd. 7a. No municipality or redevelopment agency shall undertake any project authorized by this chapter, except a project referred to in section 474.02, subdivision 1f, unless its governing body finds that the project furthers the purposes stated in this section, nor until the commissioner of ~~securities and real estate~~ economic development has approved the project, on the basis of preliminary information which the commissioner may require, as tending to further the purposes and policies of this chapter. Approval shall not be deemed to be an approval by the commissioner of ~~securities and real estate~~ economic development or the state of the feasibility of the project or the terms of the revenue agreement to be executed or the bonds to be issued therefor, and the commissioner shall state this in communicating approval.

Sec. 2. Minnesota Statutes 1980, Section 474.01, Subdivision 7b, is amended to read:

Subd. 7b. Prior to submitting an application to the commissioner of ~~securi-~~

ties and real estate economic development requesting approval of a project pursuant to subdivision 7a, the governing body or a committee of the governing body of the municipality or redevelopment agency shall conduct a public hearing on the proposal to undertake and finance the project. Notice of the time and place of hearing, and stating the general nature of the project and an estimate of the principal amount of bonds or other obligations to be issued to finance the project, shall be published at least once not less than 15 days nor more than 30 days prior to the date fixed for the hearing, in the official newspaper and a newspaper of general circulation of the municipality or redevelopment agency. The notice shall state that a draft copy of the proposed application to the commissioner of ~~securities and real estate economic development~~, together with all attachments and exhibits thereto, shall be available for public inspection following the publication of such notice and shall specify the place and times where and when it will be so available. At the time and place fixed for the public hearing, the governing body of the municipality or the redevelopment agency shall give all parties who appear at the hearing an opportunity to express their views with respect to the proposal to undertake and finance the project. Following the completion of the public hearing, the governing body of the municipality or redevelopment agency shall adopt a resolution determining whether or not to proceed with the project and its financing and may thereafter apply to the commissioner of ~~securities and real estate economic development~~ for approval of the project.

If the determination is to proceed with the project, the resolution shall contain the following findings:

- (a) That the project furthers the purposes stated in section 474.01;*
- (b) That the project is consistent with the community's development plans or policies and the zoning requirements of the municipality;*
- (c) That the project is consistent with the municipal operating guidelines governing the authorized uses for revenue bond projects under this act;*
- (d) That the project will not directly compete with existing business or industry in the issuing jurisdiction or, if direct competition is found, that it will not result in a substantial detriment to existing business or industry or that the project would serve the overriding needs of the area as a whole;*
- (e) That an estimated increased cost of providing municipal services, utilities or public improvement to the project would not be unreasonable in light of anticipated gains in revenue to the municipality by virtue of an expanded property tax base or increases in other taxes, fees and charges; and*
- (f) That the project would not be likely to occur solely through private investment within the reasonably foreseeable future and that the use of industrial revenue bond financing is deemed necessary.*

The determination to proceed or not to proceed shall be based on the provisions of this subdivision and guidelines established by the governing body of the municipality or the redevelopment agency and any other criteria, published or otherwise, which the governing body of the municipality or the redevelopment agency determines are applicable to the specific project under consideration.

Sec. 3. Minnesota Statutes 1980, Section 474.01, is amended by adding a

subdivision to read:

Subd. 7c. Prior to the undertaking of any project, the governing body of the municipality or redevelopment agency shall adopt operating guidelines specifying the authorized uses for revenue bonds within that municipality. The guidelines for a municipality shall include a priority list of areas within the municipality to be developed and prioritized with respect to each of the projects enumerated in section 474.02, subdivisions 1a through 1f. The priority areas shall be identified by areas of not larger than 20 square blocks whenever feasible. The guidelines shall be adopted following the hearing procedure provided for individual projects by subdivision 7b. The guidelines are effective when filed with the commissioner of economic development by the governing body of the municipality or redevelopment agency. Municipalities which have adopted guidelines prior to the effective date of this act may file them with the commissioner, together with evidence of public hearing and final passage, and upon filing the guidelines shall be effective for projects approved subsequent to the filing date. Amendments to the guidelines may be adopted pursuant to the hearing process of subdivision 7b and shall be effective when filed with the commissioner. No project inconsistent with applicable guidelines shall be authorized by a municipality. Each municipality or redevelopment agency issuing revenue bonds pursuant to chapter 474 shall designate a public office or official within that municipality or agency to serve as a coordinating body or official for small businesses who desire to use revenue bond financing. The public office or official designated by the municipality or redevelopment agency shall coordinate the use of revenue bonds by small businesses to facilitate their economic feasibility.

Sec. 4. Minnesota Statutes 1980, Section 474.01, Subdivision 8, is amended to read:

Subd. 8. Each municipality and redevelopment agency upon entering into a issuing revenue agreement, except one pertaining to a project referred to in section 474.02, subdivision 1f, bonds pursuant to chapter 474 shall furnish the department of economic development on the forms the department may prescribe the following information concerning the project: The name of the contracting party, the nature of the enterprise, the location, approximate number of employees, the general terms and nature of the revenue agreement, the amount of bonds or notes issued, and other information the department may deem advisable.

(a) The name and address of the contracting party and if the contracting party is a subsidiary corporation, the name and address of any corporation owning 25 percent or more of the subsidiaries' voting stock;

(b) The nature and location of the enterprise or project to be financed;

(c) The estimated number of permanent full-time and part-time employees who will be employed as a result of the project including a general categorizing of wage scales of the estimated employees, but listing separately those employed solely in constructing the project;

(d) The amount of bonds or notes issued, and the date issued;

(e) The amount of bonds or notes authorized for the project pursuant to subdivision 7a but unissued;

(f) Whether the bonds or notes were sold through a private placement, as

defined in section 80A.15, subdivision 2, clause (h), or through a public offer;

(g) If the bonds or notes were privately placed, the name and address of the purchaser;

(h) If the bonds or notes were publicly offered, the name and address of the underwriter;

(i) The average annual interest rate paid on the bonds or notes, amortizing any discount or premium over the life of the bonds or notes; and

(j) A brief statement of the benefit which the municipality or redevelopment agency has found will accrue to the community as a result of the project.

The contracting party shall timely furnish to the municipality or redevelopment agency the information required to be reported in this subdivision and any other information the municipality or redevelopment agency may prescribe. If information is not furnished when required, the municipality or redevelopment agency may refuse to proceed with the project. Information that is not available until the bonds are issued must be furnished to the municipality or redevelopment agency within 15 days after issuance.

The municipality or redevelopment agency shall file the information required by this subdivision with the commissioner either within 60 days of the issuance of the bonds or notes or by the end of the calendar quarter in which the bonds were issued, whichever is later. The department shall keep a record of the information which shall be available to the public at times the department shall prescribe. The department of economic development shall prepare summary tables from these reports and submit its report annually to the legislature and the governor by November 15, documenting the activity of the municipalities and redevelopment agencies in the preceding calendar year.

In addition to the reporting requirements for individual projects, each municipality or redevelopment agency issuing revenue bonds shall keep a permanent record of the number and types of jobs which have been created as a result of all projects within that jurisdiction, and shall submit a copy of the record to the department of economic development no later than five years from the date of the first issuance of revenue bonds by that municipality or redevelopment agency. After the initial five-year report, the municipality or redevelopment agency shall continue to maintain a permanent job record for any subsequent projects and submit a copy of the record to the commissioner of economic development every five years.

Sec. 5. Minnesota Statutes 1980, Section 474.01, is amended by adding a subdivision to read:

Subd. 11. It is the policy of the state that any bonds sold pursuant to this chapter, whether by a political subdivision, a redevelopment agency, or by the state, as well as all revenue bonds sold pursuant to any other provision of state law, except bonds of the Minnesota housing finance agency issued pursuant to chapter 462A, are sold without moral obligation on the part of the state or its political subdivisions, and may be paid only from revenues specifically pledged for repayment.

Sec. 6. Minnesota Statutes 1980, Section 474.05, is amended to read:

474.05 [DETERMINATION OF COST OF PROJECT.]

In determining the cost of a project, the governing body ~~may~~ *shall* include all cost and estimated cost of the acquisition, construction, reconstruction, improvement, betterment, and extension of the project, all engineering, inspection, fiscal, legal, administrative, and printing expense, the interest which it is estimated will accrue during the construction period and for six months thereafter on money borrowed or which it is estimated will be borrowed pursuant to this chapter, and bond reserves and premiums for insurance of lease rentals pledged to pay the bonds.

Sec. 7. Minnesota Statutes 1980, Section 474.06, is amended to read:

474.06 [MANNER OF ISSUANCE OF BONDS; INTEREST RATE.]

Bonds authorized under this chapter shall be issued in accordance with the provisions of chapter 475 relating to bonds payable from income of revenue producing conveniences, except that public sale shall not be required, and the bonds may mature at any time or times in such amount or amounts within 30 years from date of issue and may be sold at a price equal to such percentage of the par value thereof, plus accrued interest, and bearing interest at such rate or rates, ~~not exceeding nine percent per year~~, as may be agreed by the contracting party, the purchaser, and the municipality or redevelopment agency, notwithstanding any limitation of interest rate or cost or of the amounts of annual maturities contained in any other law. When bonds authorized under this chapter are issued, they shall state whether they are issued for a project defined in section 474.02, subdivisions 1, 1a, 1b, ~~or~~ 1c, *1e or 1f*.

Sec. 8. Minnesota Statutes 1980, Section 474.08, is amended to read:

474.08 [VALIDITY OF BONDS; PRESUMPTION.]

The validity of bonds or notes issued hereunder shall not be dependent on nor be affected by the validity or regularity of any proceedings relating to the acquisition, purchase, construction, reconstruction, improvement, betterment, or extension of the project for which the same are issued. The ordinance or resolution authorizing such bonds or notes ~~may~~ *shall* provide that the bonds or notes shall contain a recital that they are issued pursuant to this chapter, *that they are issued without moral obligation on the part of the state or its political subdivisions, and that they may be paid only from revenues specifically pledged for repayment*, and such recital shall be conclusive evidence of their validity and of the regularity of their issuance.

Sec. 9. [EFFECTIVE DATE.]

This act shall be effective the day following final enactment.

Amend the title as follows:

Page 1, line 2, delete "commerce" and insert "economic development"

Page 1, line 2, delete "limiting projects for" and insert "regulating"

Page 1, line 3, after the semicolon, insert "prohibiting moral obligation debt."

Page 1, line 3, delete "repealing" and insert "amending"

Page 1, line 4, delete everything after the first comma and insert "Sections 474.01, Subdivisions 7a, 7b, 8, and by adding subdivisions; 474.05; 474.06; and 474.08."

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

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

S. F. No. 1044: A bill for an act relating to the city of Echo; authorizing the issuance of bonds for the acquisition and betterment of a city hall, community center, and municipal meeting room.

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

Page 1, line 11, delete "*city hall,*"

Page 1, line 12, delete "*, and municipal meeting room*" and insert "*as authorized by the electors of the city at the election held on March 4, 1980*"

Page 1, line 14, delete "*no election shall be required*"

Page 1, delete line 15

Pages 1 and 2, delete section 2

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 3, delete "*city*"

Page 1, line 4, delete "*hall,*" and delete "*, and municipal meeting room*"

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

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

S. F. No. 1086: A bill for an act relating to special assessments; permitting special assessments for certain residential energy conservation improvements; amending Minnesota Statutes 1980, Section 429.011, by adding a subdivision; and 429.021, Subdivision 1.

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

Page 1, line 14, delete the period after "*et*"

Page 1, line 15, delete "*electricity, natural gas,*"

Page 1, line 16, delete "*or oil*" and insert "*energy*"

Page 3, line 9, delete the period, and insert "*provided that the city develops a program which allows:*

(a) *The city to negotiate and contract with contractors to perform work or furnish materials or both, for one or more projects, in accordance with schedules coordinated and approved by the city;*

(b) *The homeowner, subject to the approval of the city, to negotiate and contract with contractors to perform work or furnish materials or both, for one or more projects, in accordance with schedules coordinated and approved by the city; and*

(c) The city to contract with a homeowner for labor or materials or both, provided that in such cases the city may inspect the work performed and shall not pay the homeowner for his labor."

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

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

S. F. No. 736: A bill for an act relating to taxation; providing a sales and use tax exemption for energy conservation and renewable energy source devices and materials; amending Minnesota Statutes 1980, Section 297A.25, Subdivision 1.

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

S. F. No. 627: A bill for an act relating to energy; confidentiality of certain energy data; powers and duties of Minnesota energy agency; subdivision regulations; providing for certain inspections; extending biomass plan deadline; amending Minnesota Statutes 1980, Sections 116H.07; 116H.08; 116H.129, Subdivision 4; 116H.19, Subdivision 1; 462.358, Subdivision 2a; proposing new law coded in Minnesota Statutes, Chapter 15.

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

Pages 1 to 3, delete section 2

Page 3, after line 32, insert:

"(f) Provide on-site technical assistance to units of local government in order to enhance local capabilities for dealing with energy problems;"

Page 3, line 33, delete "(f)" and insert "(g)"

Page 3, line 33, after "state" insert a comma

Page 3, line 33, delete "under" and insert "pursuant to"

Page 3, line 34, after "guidelines," insert "except for the crisis fuel assistance and low income weatherization programs administered by the department of economic security,"

Page 3, line 34, delete "such" and insert "the"

Page 4, line 6, delete "such" and insert "the"

Page 4, line 8, delete "random" and insert "an"

Page 4, line 8, after "inspections" insert "program in conjunction with existing city inspection programs"

Page 4, line 9, after "of" insert "section"

Page 4, line 9, before the period insert "; provided that 50 percent of the penalties to be paid to the state treasury for violation of subdivision 3 shall be paid to the municipality"

Page 4, line 14, strike "shall" and insert "may"

Page 4, line 15, strike “, to”

Page 4, line 16, strike the existing language and delete the new language

Page 4, line 17, delete “1982”

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 2, after “energy;” insert “providing for the”

Page 1, line 3, delete “powers and” and insert “changing the”

Page 1, line 6, delete “116H.07;”

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

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

S. F. No. 783: A bill for an act relating to energy; creating the Minnesota renewable energy financing commission; establishing a program of loans and financial assistance for small businesses and municipalities; authorizing the issuance of bonds; appropriating money; proposing new law coded in Minnesota Statutes 1980, Chapter 116H.

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

Delete everything after the enacting clause and insert:

“Section 1. [116H.135] [ENERGY FINANCING COMMISSION ACT.]

Subdivision 1. [TITLE.] Sections 1 to 3 may be cited as the “Minnesota energy financing commission act.”

Subd. 2. [POLICIES.] Improving energy efficiency and developing economical renewable energy systems is a public purpose for state financing and a proper function of state government. Climate and geography make a reliable, economic supply of energy essential for municipalities and small businesses. Imported supplies are increasingly costly, unreliable, and environmentally disadvantageous. Renewable energy systems offer an important means of increasing the efficiency of Minnesota’s energy systems and reducing the state’s reliance on imported energy supplies. The combination of the large initial capital cost and investors’ lack of familiarity with renewable energy systems has made the private market reluctant to provide the necessary capital for their development. As a result, public leadership, cooperation, and aid are needed to develop economically viable renewable energy systems.

Subd. 3. [DEFINITIONS.] Each term defined in this subdivision has the meaning given it whenever used in sections 1 to 3.

(a) “Commission” means the renewable energy financing commission created in this section.

(b) “Owner” means a person, partnership, firm, or corporation engaged in a small business and applying to the commission for a loan under section 2.

(c) “Small business” means an enterprise defined as a small business con-

cern in regulations of the United States small business administration pursuant to 15 U.S. Code, Sections 631 to 647, as in effect March 1, 1980, which is engaged in any industrial or commercial activity. For the purposes of sections 1 to 3, a small business includes a cooperative association organized pursuant to chapter 308, a charitable organization as defined in section 309.50, a nonprofit corporation as defined in section 317.02, a conservation service company, or a labor union. A small business also includes a family farm, a family farm corporation, or an authorized farm corporation as defined in section 500.24, subdivision 2.

(d) "Target small business" for the purpose of section 2, subdivision 6, means a small business entity as defined in clause (c) which:

(1) Is not an affiliate or subsidiary of a business dominant in its field of operation;

(2) Has 50 or fewer full time employees or not more than the equivalent of \$2,000,000 in annual gross revenues in the preceding fiscal year; and

(3) Demonstrates a commitment to employ individuals who are from low income households and have a history of unemployment.

(e) "Dominant in its field of operation" means having more than 50 full time employees and more than \$2,000,000 in annual gross revenues.

(f) "Affiliate or subsidiary of a business dominant in its field of operation" means a business which is at least 20 percent owned by a business dominant in its field of operation, or by partners, officers, directors, majority stockholders, or their equivalent, of a business dominant in its field of operation.

(g) "Financial institution" means any bank or other financial corporation described in chapter 47, any insurance company licensed to do business under chapter 60A, any securities broker-dealer licensed under chapter 80A, and any credit union.

(h) "Renewable energy system" includes, but is not limited to, the systems that qualify under the provisions of section 290.06, subdivision 14, and the rules promulgated under it except that qualifying systems described in section 290.06, subdivision 14, clause (c) may sell any fuels they produce.

(i) "Conservation" means a capital investment designed to reduce the use of energy so that the resulting fuel savings amortize the cost of the investment over a period of ten years or less.

(j) "Municipality" means any city, however organized, or any municipal power agency governed by chapter 453, or any group or combination of those units operating under an agreement to jointly undertake projects authorized by sections 1 to 3.

Subd. 4. [ENERGY COMMISSION.] An energy financing commission is established to carry out the powers and duties authorized in sections 1 to 3 to implement a loan program by which, in cooperation with cities, towns, counties and private or public lenders, adequate funds may be provided on sufficiently favorable terms to assist and encourage the establishment, maintenance and growth of small renewable energy and conservation businesses in Minnesota and to reduce to a manageable level the cost of energy to businesses and municipalities. The commission shall make loans to assist small businesses and

municipalities in the manufacture, design, distribution, maintenance, installation or acquisition of renewable energy systems and energy conservation materials and devices.

Because of its ability to pool or combine loans to be funded from one or more issues of bonds, the commission will be able to spread its financing costs among the municipalities, small businesses and individuals to which the commission makes loans.

Subd. 5. [PURPOSE.] Sections 1 to 3 are enacted to promote the welfare and prosperity of the state by maintaining and increasing the career and job opportunities of its citizens, by reducing waste of resources and by protecting and enhancing the tax base on which state and local governments depend for the financing of public services.

Subd. 6. [LIABILITY.] Neither the state nor any other agency or political subdivision of the state shall be liable on any bond, note or other obligation of the commission, and no bond, note, or other obligation of the commission shall constitute a debt or loan of credit of the state or any political subdivision.

Subd. 7. [LIMIT OF STATE ACTION.] The state pledges and agrees with all holders of obligations of the commission that it will not limit or alter the rights vested in the commission to fulfill their terms, and will not in any way impair the rights or remedies of the holders, until all of the obligations and interest on them, with interest on any unpaid installments of interest and all costs and expenses in connection with any action or proceeding by or on behalf of the holders to enforce the payment and other provisions of the obligations, are fully met and discharged. The commission may include and recite this pledge and agreement of the state in any obligation or related document.

Subd. 8. [POWERS OF THE STATE.] This section does not affect the power of the state to supervise and control the commission or to discontinue its operation or alter its organization, programs or activities or transfer its powers to a successor agency, but the action of the state must be consistent with the provisions of subdivision 7 and title to all property owned by the commission at the time of the state's action must remain or vest in the commission, its successor or the state, as the case may be.

Subd. 9. [TAXES.] The property of the commission and its income and operation shall be exempt from all taxation by the state or any of its political subdivisions and all bonds and notes of the commission shall be exempt from all taxation by the state or any of its political subdivisions.

Subd. 10. [BONDS; TAX STATUS.] The state covenants with the purchasers and all subsequent holders and transferees of notes and bonds issued by the commission in consideration of the acceptance of and payment for the notes and bonds, that the notes and bonds of the commission issued pursuant to sections 1 to 3 and the income from them and all its fees, charges, gifts, grants, revenues, receipts, and other moneys received or to be received, pledges to pay or secure the payment of the notes or bonds shall at all times be free and exempt from all state, city, county or other taxation provided by the laws of the state, except for estate and gift taxes and taxes on transfers, and except for the Minnesota corporate franchise tax measured by income, so long as the interest on federal bonds is included in the income by which the corporate franchise tax is measured.

Subd. 11. [COMMISSION; MEMBERS.] The commission shall have five members knowledgeable about energy appointed by the governor with the advice and consent of the senate. The commissioners shall include:

(a) One renewable energy or conservation entrepreneur managing a small business;

(b) One officer from a commercial lending institution; and

(c) One labor union official.

The director of the energy agency, the director of the housing finance agency, and the commissioner of economic development shall serve as ex officio members of the commission.

Subd. 12. [TERMS.] The commissioners shall serve three year terms. The first members shall be appointed for terms as follows: (a) one for a term ending the first Monday in January, 1982; (b) two for terms ending the first Monday in January, 1983; and (c) two for terms ending the first Monday in January, 1984.

Subd. 13. [CHAIR.] The members of the commission shall annually elect a chairman and other officers they deem necessary.

Subd. 14. [STAFF.] The commission shall hire permanent and temporary employees necessary for the performance of its duties. The commission may enter into agreements under which the housing finance agency will provide administrative support for the commission.

Subd. 15. [SERVICES.] The commission shall identify general consultative and technical services to assist in financing municipalities and small business facilities for which loans may be made pursuant to section 2. It may enter into agreements or other transactions concerning the receipt or provision of those services.

Sec. 2. [116H.136] [LOANS.]

Subdivision 1. [GENERAL.] The commission may make or purchase or participate with financial institutions in making or purchasing renewable energy loans or energy conservation loans upon the conditions described in this section, and may enter into commitments for loans.

Subd. 2. [LOAN PURCHASES.] The commission may participate with financial institutions in making or purchasing business loans not exceeding \$1,000,000 in principal amount, to be serviced by the institutions, provided that:

(a) The commission's share shall not exceed 90 percent of the total principal amount, and shall be payable with interest at the same times but not necessarily at the same interest rate as the share of the financial institution, and both shares shall be equally and ratably secured by a valid mortgage on or security interest in real and personal property;

(b) The total principal amount shall not exceed 90 percent of the value of the property securing the loan, unless the amount in excess of 90 percent is:

(1) Loaned from available funds which are not proceeds received directly from the sale of the commission's bonds or notes and are not restricted under the terms of any resolution or indenture securing bonds or notes, or

(2) Insured or guaranteed by a federal agency or by a private insurer qualified to write the insurance in the state, insuring a percentage of any claim for loss at least equal to the percentage by which the loan exceeds 90 percent of the value:

(c) The value of the property securing the loan shall be certified by the participating financial institution, on the basis of appraisals, bids, purchase orders, and engineers' certificates as the commission may require;

(d) The commission shall not disburse more than one-third of the total funds under a commitment to participate in a loan for the construction or substantial improvement of property until the construction or improvement has been completed in accordance with plans and specifications, unless the financial institution furnishes an irrevocable letter of credit or a qualified corporate surety furnishes payment and performance bonds, satisfactory to the commission and in an aggregate amount equal to the amount payable under the construction contract; and

(e) No other indebtedness may be secured by a mortgage on or security interest in property securing a business loan made or purchased pursuant to this subdivision.

Subd. 3. [LOANS; AMOUNT.] The commission may make small business and municipal loans not exceeding \$200,000 in principal amount, but each loan shall be made only from the proceeds of a bond or note sold and issued to a financial institution, payable exclusively from the repayments of principal and interest on the loan, which shall be assigned to and serviced by the financial institution.

Subd. 4. [ASSURED FINANCING.] No loan of state funds for any project shall be disbursed until the commission has determined the total estimated cost of a qualified project and ascertained that financing of the project is assured by:

(a) A loan or grant of funds authorized by state law;

(b) A grant of funds by an agency of the federal government which is within the amount of funds appropriated to that agency and allocated by it to the project;

(c) A grant or loan of funds from any other public or private entity;

(d) The appropriation of the proceeds of bonds or other funds of a municipality; or

(e) Any combination of the sources referred to in clauses (a) to (d).

Subd. 5. [MUNICIPAL PLEDGE.] In addition to the requirements of subdivision 4, no loan of state funds shall be disbursed until the governing body of the qualifying municipality has adopted a resolution agreeing to utilize not only all funds it allocates specifically for the qualifying project, but also to pay any additional amount by which the cost of the project exceeds those allocated funds. The resolution shall agree to obtain the additional amounts which are necessary to fully fund the project from either the appropriation of additional municipal funds or the appropriation of the proceeds of additional bonds to be issued by the municipality.

Subd. 6. [LOANS; TYPES.] The commission shall make every effort to

assure that at least 40 percent of the principal amount of the loans made or purchased by the agency in each fiscal year consists of loans to target small businesses as defined in section 1, subdivision 3, clause (d), and shall provide technical assistance needed by target small business owners to complete applications and meet other requirements for those loans. The commission shall report to the legislature annually on or before October 1 as to its compliance with the requirements of this subdivision during the preceding fiscal year.

Subd. 7. [REPORTS.] (a) Each financial institution which participates in a residential or business loan with the commission shall annually on or before March 1 submit a report for the prior calendar year to the agency on a form prescribed by the state auditor. The report shall include a listing of each new and outstanding loan in which the financial institution is a participant, the amount and terms of the loan, the purpose of the loan and any other information as the state auditor may reasonably require.

(b) The commission shall annually on or before May 1 submit a report on a form prescribed by the state auditor for the prior calendar year to the state auditor on all loans which it makes, purchases or participates in. The report shall include a listing of each new and outstanding loan in which the financial institution is a participant, the amount and terms of the loan, the purpose of the loan and any other information the state auditor may reasonably require.

(c) The state auditor shall annually on or before July 1 submit a report for the prior calendar year to the governor and the legislature summarizing the report submitted pursuant to clause (b).

(d) The cost of preparing and submitting the reports required by this subdivision shall be borne by the party submitting it. Any financial institution which fails to comply with the requirements of this subdivision shall be prohibited from participating in future loans until it complies.

Sec. 3. [116H.137] [POWERS; DUTIES.]

Subdivision 1. [GENERAL.] In implementing its corporate purposes and the programs described in sections 1 to 3, the commission shall have the powers and duties set forth in this section.

Subd. 2. [LAWSUITS.] It may sue and be sued.

Subd. 3. [CORPORATE SEAL.] It may have a seal and alter it at will.

Subd. 4. [RULES.] It may adopt, amend and repeal rules consistent with the provisions of sections 1 to 3 as necessary to effectuate its corporate purposes.

Subd. 5. [PROPERTY.] It may acquire, hold and dispose of personal property for its corporate purposes.

Subd. 6. [AGREEMENTS.] It may enter into agreements or other transactions with any federal or state agency, any person and any domestic or foreign partnership, corporation, association or organization.

Subd. 7. [PROPERTY; DEFAULT.] It may acquire real property, or an interest in real property, in its own name, by purchase or foreclosure, when the acquisition is necessary or appropriate to protect any loan in which the agency has an interest and may sell, transfer and convey the property to a buyer and, if sale, transfer or conveyance cannot be effected with reasonable promptness or at a reasonable price, may lease the property to a tenant.

Subd. 8. [LOANS; SALES.] It may sell, at public or private sale, any note, mortgage or other instrument or obligation evidencing or securing a loan.

Subd. 9. [INSURANCE.] It may procure insurance against any loss in connection with its property in the amounts, and from the insurers, as necessary or desirable.

Subd. 10. [TERMS; MODIFICATION.] It may consent, when it deems it necessary or desirable in the fulfillment of its corporate purpose, to the modification of the rate of interest, time of payment or any installment of principal or interest, or any other term, of any mortgage loan, mortgage loan commitment, construction loan, temporary loan, contract or agreement of any kind to which the agency is a party.

Subd. 11. [BONDS.] It may borrow money to accomplish its corporate purpose and issue its negotiable bonds or notes as evidence of the borrowing in accordance with sections 462A.08 to 462A.13, 462A.16 and 462A.17, all with the force and effect stated and the incidental powers granted and duties imposed in those sections. The aggregate principal amount of the commission's bonds and notes outstanding at any one time, excluding the amount satisfied and discharged by payment or provision for payment in accordance with their terms, and deducting amounts held in debt service reserve funds for them, shall not exceed \$1,000 unless authorized by another law.

Subd. 12. [RESERVE.] It may issue and sell bonds, notes and other obligations payable solely from particular moneys, assets or revenues derived from its programs notwithstanding section 462A.08, subdivision 3. Obligations issued to participate in making or purchasing small business and municipal loans pursuant to section 2, shall be payable solely from revenues derived by the commission from repayments of the loans and from enforcement of the security for them, or from a general reserve fund irrevocably pledged and appropriated to pay principal and interest due, for which other funds are not available. No obligations shall be issued at any time unless the amount then in the general reserve fund equals at least ten percent of the aggregate principal amount of all the obligations then issued and then outstanding.

Subd. 13. [PRICES.] It may sell any of its obligations at public or private sale, at the price or prices the commission shall determine, notwithstanding the limitation on sale price in the fourth sentence of section 462A.09.

Subd. 14. [COMPLIANCE.] It may establish and collect reasonable interest and amortization payments on loans, and in connection with them may establish and collect or authorize the collection of reasonable fees and charges or require funds to be placed in escrow, sufficient to provide for the payment and security of its bonds, notes, commitments and other obligations and for the servicing of them, to provide reasonable allowances for or insurance against losses which may be incurred and to cover the cost of issuance of obligations and technical, consultative and project assistance services. It shall require the payment of all processing, administrative and guarantee fees and the deposit in escrow of all funds required by the small business administration or other federal agency or instrumentality guaranteeing any loan and shall comply and enforce compliance with all terms and conditions of each guarantee.

Subd. 15. [INVESTMENTS.] It may invest any funds not required for immediate disbursement in direct obligations of or obligations guaranteed as

to principal and interest by the United States, or in insured savings accounts, up to the amount of the insurance, in any institution the accounts of which are insured by the federal savings and loan insurance corporation or in a savings or other account in a bank insured by the federal deposit insurance corporation or in time certificates of deposit issued by a bank insured by the federal deposit insurance corporation and maturing within one year or less. It may deposit funds in excess of the amount insured with security as provided in chapter 118. Notwithstanding the foregoing, it may invest and deposit funds in accounts established pursuant to resolutions or indentures securing its bonds or notes in the investments and deposit accounts or certificates, and with the security, as may be agreed with the holders or a trustee for the holders.

Subd. 16. [DATA.] Financial information, including, but not limited to, credit reports, financial statements and net worth calculations, received or prepared by the commission regarding any project loan is private data on individuals as defined in section 15.162, subdivision 5a.

Subd. 17. [OTHER FUNDING.] It may accept appropriations, gifts, grants, bequests and devises and use or dispose of them for its corporate purposes.

Subd. 18. [FUNDING.] All proceeds of the commission's bonds, notes and other obligations, any amounts granted or appropriated to the commission for the making or purchase or the insurance or guaranty of loans or for bond reserves, all income from their investment and all revenues from loans, fees and charges of the commission are annually appropriated to the commission for the accomplishment of its corporate purposes and shall be expended, administered and accounted for in accordance with the applicable provisions of all bond and note resolutions, indentures and other instruments, contracts, and agreements of the agency.

Subd. 19. [HOUSING FINANCE AGENCY.] The director of the housing finance agency at the commission's request may enter into agreements or transactions with the commission to perform any or all administrative tasks in connection with the exercise and implementation of the powers and programs of the commission.

Sec. 4. [APPROPRIATION.]

§..... is appropriated from the general fund to the commission to establish the reserve required by section 3, subdivision 12.

Sec. 5. [APPROPRIATION.]

§..... is appropriated from the general fund to the commission to hire necessary staff, consultants, and equipment to carry out the provisions of sections 1 to 3.

Sec. 6. [REPEALER.]

Minnesota Statutes 1980, Section 3.351 is repealed.

Sec. 7. [EFFECTIVE DATE.]

Sections 1 to 6 are effective the day following final enactment."

Amend the title as follows:

Page 1, delete lines 2 to 7 and insert:

"relating to energy; creating the Minnesota energy financing commission; establishing a program of loans and financial assistance for small businesses and municipalities; authorizing the issuance of bonds; appropriating money; proposing new law coded in Minnesota Statutes 1980, Chapter 116H; repealing Minnesota Statutes 1980, Section 3.351."

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

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

S. F. No. 1096: A bill for an act relating to energy; authorizing the Minnesota energy agency to administer a program of loans to municipalities for establishing and improving district heating systems; authorizing the issuance of state bonds pursuant to Article XI of the Minnesota constitution; appropriating money; amending Minnesota Statutes 1980, Sections 412.321, Subdivision 1; 412.351; 412.361, Subdivision 3; and 429.021, Subdivision 1; proposing new law coded in Minnesota Statutes, Chapters 116H, 216B, and 465.

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

Delete everything after the enacting clause and insert:

"Section 1. [116H.31] [DISTRICT HEATING GRANTS AND LOANS.]

Subdivision 1. [POLICIES.] Developing and improving efficient and economical district heating systems is a public purpose for state financing and a proper function of state government. Climate and geography make a reliable, economic supply of energy essential for industrial, commercial, and residential heating. Imported supplies are increasingly costly, unreliable, and environmentally disadvantageous. District heating systems employing cogeneration techniques and innovative technology offer an important means of increasing the efficiency of Minnesota's energy systems and reducing the state's reliance on imported energy supplies. The combination of the large initial capital cost and investors' lack of familiarity with district heating has made the private market reluctant to provide the necessary capital for district heating projects. As a result, public leadership, cooperation, and aid are needed to demonstrate the feasibility of district heating systems by establishing economically viable district heating systems as demonstration projects. District heating systems may be financed by loans from the state and from other sources available to municipalities.

Subd. 2. [DEFINITIONS.] In this section:

(a) "Commissioner" means the commissioner of finance.

(b) "Construction costs" means all costs associated with the construction, modification or expansion of a district heating system except for preliminary planning costs and detailed design costs. Construction costs include the cost of debt service from the time a construction loan is made until six years after the beginning of the operation of the district heating system constructed or the part of the system being modified or expanded.

(c) "Director" means the director of the Minnesota energy agency.

(d) "District heating" means the use of a central energy conversion facility to produce hot water or steam for distribution to homes or businesses. District heating facilities may also produce electricity in addition to hot water or steam.

(e) "District heating utility" means any person, firm, public, nonprofit, or private corporation, or other entity that owns and operates or plans to own and operate a district heating system.

(f) "Municipality" means any county, city, town, municipal power agency, or public utility, as defined in section 452.01, subdivision 3, owned and operated by a city, however organized.

Subd. 3. [PRELIMINARY PLANNING GRANTS.] Upon application by a municipality, on a form prescribed by rule, the director shall make grants to municipalities for preliminary planning related to the development of district heating systems on the following conditions:

(a) The municipality demonstrates that a community heatload survey and map have been completed;

(b) The potential district heating load is sufficiently large to justify further consideration; and

(c) Sufficient resources are available for the municipality to meet the financial requirements of the proposed system.

Eligible planning grant costs include project definition, development of preliminary financing and distribution system plans, and obtaining community commitment for detailed planning or design and preparation of a final report. The amount of a grant shall be limited to 90 percent of eligible planning costs and shall not exceed \$20,000.

Subd. 4. [LOANS; ELIGIBILITY.] The commissioner of finance, upon request of the governor, pursuant to subdivision 7, may make loans to municipalities for the acquisition, construction, expansion, or modification of district heating systems. A municipality may apply for and receive a loan on behalf of a district heating utility that is or shall operate pursuant to a municipal utility franchise or pursuant to a written agreement with the district heating utility. A loan shall be made only to a municipality that has demonstrated in its application that:

(a) The municipality has the financial capability to sponsor the project;

(b) The project is technologically feasible;

(c) The district heating project: (i) will become a cogeneration facility or (ii) will utilize hot water or (iii) will allow the use of nonpetroleum fuels or (iv) will construct an efficient heat transmission system;

(d) If the project involves an existing district steam heating system, the project will be integrated with a hot water district heating system, and if the existing system or an expansion or modification of the existing system is not owned by the city, that the city shall enter into a written agreement with the district heating utility, before the municipality makes a loan to the utility, which includes a requirement that the utility restrict expansion of its existing steam system within its current geographic boundaries as determined by the municipality and develop a hot water system on a specific time schedule; and

(e) *The municipality has made adequate provision to assure proper and efficient operation and maintenance of the project after construction is completed.*

Subd. 5. [LOANS; APPLICATION.] *Application for a loan to be made pursuant to subdivision 7 shall be made by a municipality to the director on a form prescribed by the director by rule. The director shall review each application and determine:*

(a) *Whether or not the project is eligible for a loan;*

(b) *The priority of the project when ranked with all other eligible projects for which a loan application has been submitted;*

(c) *The total estimated cost of the project;*

(d) *The amount of the loan for which the project is eligible;*

(e) *The terms upon which the loan would be made; and*

(f) *The means by which the project shall be financed, including, but not limited to: grants, other loans, bond proceeds, appropriations, user charges, fees, special assessments, or taxes.*

Subd. 6. [LOAN REVIEW; PRIORITIES.] *In reviewing the projects, the director shall give higher priority to a project that does more to achieve the following goals:*

(a) *The district heating conversion facility employs cogeneration techniques;*

(b) *The facility uses renewable or nonpetroleum sources of energy;*

(c) *The district heating facility will save petroleum or natural gas;*

(d) *The operation of the district heating facility will not have an adverse impact on the environment;*

(e) *The district heating facility may readily be expanded to serve additional customers or to supply additional amounts of energy, and market demand for the energy exists;*

(f) *The project has obtained additional financing from the federal government, private sources, or other sources of capital; and*

(g) *Other goals the director finds desirable for district heating systems.*

Subd. 7. [LOAN APPROVAL.] *The director shall prepare and submit to the legislative advisory commission a list of district heating loan requests in rank order based on priority. The list shall contain the supporting information required by subdivisions 4, 5 and 6. The recommendation of the legislative advisory commission shall be transmitted to the governor. The governor shall approve or disapprove, or return for further consideration, each project recommended for approval by the legislative advisory commission. Loans shall be disbursed only upon approval by the governor.*

Subd. 8. [LOAN; ELIGIBLE EXPENSES.] *Upon the recommendation of the governor pursuant to subdivision 7, the commissioner shall make loans to municipalities for the following expenses:*

(a) *Design costs; provided that a municipality demonstrate that the pre-*

liminary planning as described in subdivision 3 has been completed.

For cities of the first class, the amount of the loan shall not exceed 40 percent of the design costs. For cities of the second, third and fourth class, the amount of the loan shall not exceed 90 percent of the design costs;

(b) Construction costs; provided that a municipality shall demonstrate that all design activities have been completed, that the project is economically and technologically feasible, and that it has made adequate provisions to assure proper and efficient construction operation, and maintenance of the project.

For cities of the first class, the amount of the loan shall not exceed 50 percent of the construction costs. For cities of the second, third or fourth class, the amount of the loan shall not exceed 90 percent of the construction costs.

A loan made pursuant to this section is repayable over a period of 20 years, with interest payments beginning the first year. Interest shall accrue from the date of the loan at a rate of interest assigned at the date of loan commitment. Principal payments shall begin in the sixth year after the receipt of the loan on a 25 year level payment schedule with the balance of the principal to be retired with the payment due 20 years after receipt of the loan.

Subd. 9. [LOAN PAYMENT; OBLIGATION.] The commissioner shall not pay money to a municipality pursuant to an approved loan until he has determined that:

(a) Financing of the project as proposed by the municipality is assured by an irrevocable undertaking, by resolution of the governing body of the municipality, to use all money made available by the loan exclusively for the eligible costs of the project, and to pay any additional amount by which the cost of the project exceeds the estimate by the appropriation to the construction account of additional municipal money or the proceeds of additional bonds to be issued by the municipality; and that

(b) The governing body of the municipality has adopted a resolution obligating the municipality to repay the loan according to the terms in the loan. The obligation may be payable from user charges, franchise fees, special assessments or other money available to the municipality. The resolution shall obligate the municipality to annually impose and collect user charges, franchise fees, special assessments, or to use any other money available to it from any other specified source, in amounts and at times that if collected in full will annually produce at least five percent in excess of the amount needed for all annual costs of the system, including annual repayment on state loans. A municipality may also pledge to levy an ad valorem tax to guarantee the payments under the loan agreement. For the purpose of repaying the loan, the municipality by resolution of its governing body may fix the rates and charges for district heating system service and products, may enter into contracts for the payment by others of costs of construction, maintenance, and use of the project in accordance with section 444.075 and may pledge the revenues derived therefrom. The commissioner shall condition a loan upon the establishment of rates and charges or the execution of contracts sufficient to produce annually the revenues pledged for repayment of all annual costs of the system, including annual repayment of the state loan, and may require additional means of security as he deems necessary.

Subd. 10. [LOAN RECEIPTS.] All principal and interest payments received

by the commissioner in repayment of the loans authorized by this section shall be deposited in the state treasury and credited to the state bond fund and are appropriated to the commissioner for the purposes of that account.

Subd. 11. [RULES.] The director shall adopt rules necessary to carry out this section. The director shall adopt temporary rules pursuant to section 15.0412, subdivision 5, meeting the requirements of this section. The rules shall contain as a minimum:

(a) Procedures for application by municipalities; and

(b) Criteria for reviewing grant and loan applications.

Sec. 2. Minnesota Statutes 1980, Section 412.321, Subdivision 1, is amended to read:

Subdivision 1. [AUTHORITY TO OWN AND OPERATE.] Any statutory city may own and operate any waterworks, *district heating system*, or gas, light, power, or heat plant for supplying its own needs for utility service or for supplying utility service to private consumers or both. It may construct and install all facilities reasonably needed for that purpose and may lease or purchase any existing utility properties so needed. It may, in lieu of providing for the local production of gas, electricity, water, *hot water*, *steam*, or heat, purchase the same wholesale and resell it to local consumers. After any such utility has been acquired, the council, except as its powers have been limited through establishment of a public utilities commission in the city, shall make all necessary rules and regulations for the protection, maintenance, operation, extension, and improvement thereof and for the sale of its utility products.

Sec. 3. Minnesota Statutes 1980, Section 412.351, is amended to read:

412.351 [COMMISSION, JURISDICTION.]

The council shall, in the ordinance establishing the commission, decide which of the following public utilities shall be within the commission's jurisdiction: (1) the city water system; (2) light and power system, including any system then in use or later acquired for the production and distribution of steam heat; (3) gas system; (4) sanitary or storm sewer system or both, including the city sewage disposal plant; (5) public buildings owned or leased by the city; (6) *district heating system*. As used subsequently in sections 412.351 to 412.391, the term "public utility" means any water, light and power, gas or sewer system, or public buildings thus placed by ordinance under the jurisdiction of the public utilities commission. Any public utility not placed under the jurisdiction of the public utilities commission by the ordinance establishing the commission may be placed under the jurisdiction of the commission by an amendment to the original ordinance.

Sec. 4. Minnesota Statutes 1980, Section 412.361, Subdivision 3, is amended to read:

Subd. 3. The commission shall have power to buy all fuel and supplies, and it may purchase wholesale electric energy, steam heat, *hot water energy*, gas or water, as the case may be, for municipal distribution.

Sec. 5. Minnesota Statutes 1980, Section 429.021, Subdivision 1, is amended to read:

Subdivision 1. [IMPROVEMENTS AUTHORIZED.] The council of a

municipality shall have power to make the following improvements:

(1) To acquire, open, and widen any street, and to improve the same by constructing, reconstructing, and maintaining sidewalks, pavement, gutters, curbs, and vehicle parking strips of any material, or by grading, graveling, oiling, or otherwise improving the same, including the beautification thereof and including storm sewers or other street drainage and connections from sewer, water or similar mains to curb lines.

(2) To acquire, develop, construct, reconstruct, extend and maintain storm and sanitary sewers and systems, including outlets, holding areas and ponds, treatment plants, pumps, lift stations, service connections, and other appurtenances of a sewer system, within and without the corporate limits.

(3) To construct, reconstruct, extend and maintain steam heating mains.

(4) To install, replace, extend and maintain street lights and street lighting systems and special lighting systems.

(5) To acquire, improve, construct, reconstruct, extend and maintain water works systems, including mains, valves, hydrants, service connections, wells, pumps, reservoirs, tanks, treatment plants, and other appurtenances of a water works system, within and without the corporate limits.

(6) To acquire, improve and equip parks, open space areas, playgrounds and recreational facilities within or without the corporate limits.

(7) To plant trees on streets and provide for their trimming, care and removal.

(8) To abate nuisances and to drain swamps, marshes and ponds on public or private property and to fill the same.

(9) To construct, reconstruct, extend, and maintain dikes and other flood control works.

(10) To construct, reconstruct, extend and maintain retaining walls and area walls.

(11) To acquire, construct, reconstruct, improve, alter, extend, operate, maintain and promote a pedestrian skyway system.

(12) To acquire, construct, reconstruct, extend, operate, maintain and promote underground pedestrian concourses.

(13) To acquire, construct, improve, alter, extend, operate, maintain and promote public malls, plazas or courtyards.

(14) To construct, reconstruct, extend, and maintain district heating systems.

Sec. 6. [465.74] [AUTHORIZATION TO OPERATE DISTRICT HEATING SYSTEMS.]

Subdivision 1. [CITIES OF THE FIRST CLASS.] Any city operating or authorized to operate a public utility pursuant to chapter 452 or its charter is authorized to acquire, construct, own, and operate a municipal district heating system pursuant to the provisions of that chapter or its charter. Acquisition

or construction of a municipal district heating system shall not be subject to the election requirement of sections 452.11 and 452.12, or city charter provision, but must be approved by a three-fifths vote of the city's council or other governing body. Loans obtained by a municipality pursuant to section 1 are not subject to the limitations on the amount of money which may be borrowed upon a pledge of the city's full faith and credit or the election requirements for general obligation borrowing, contained in section 452.08.

Subd. 2. [CITIES OF THE SECOND, THIRD, AND FOURTH CLASS.] A home rule or statutory city of the second, third or fourth class may, pursuant to sections 412.331 to 412.391, or chapter 455 or its charter acquire, construct, own, and operate a municipal district heating system.

Subd. 3. [EXTENSION OF SERVICE OUTSIDE CITY.] A municipal district heating system, operating pursuant to this section, may sell energy to customers located outside of the municipality.

Subd. 4. [NET DEBT LIMITS.] The loan obligations or debt incurred by a political subdivision pursuant to sections 1 or 7 shall not be considered as a part of its indebtedness under the provisions of its governing charter or of any law of this state fixing a limit of indebtedness.

Subd. 5. [DISTRICT HEATING FACILITIES.] Notwithstanding any other law, general or special, or the provisions of any home rule charter city to the contrary, a municipality may grant a district heating franchise for a term not to exceed 31 years upon the affirmative vote of the city council and the concurrence of the mayor.

Sec. 7. [475.525] [MUNICIPAL DISTRICT HEATING BONDS.]

Subdivision 1. [GENERAL OBLIGATION BONDS.] A municipality may, by resolution, authorize, issue and sell general obligation bonds or obligations to finance any expenditure by the municipality for the acquisition, construction, expansion, modification or operation of a district heating system and for the purpose of loaning the proceeds of the bonds or obligations to any person, firm or public or private corporation to acquire, construct, expand or modify a district heating system. Except with regard to the net debt limit as provided in section 6, subdivision 4, the general obligation bonds or obligations authorized by this subdivision shall be authorized, issued and sold in the same manner and subject only to the same conditions as those provided in chapter 475. When revenues from the operation of a district heating system are pledged to the repayment of the bonds or obligations, the estimated collections of said revenues so pledged may be deducted from the taxes otherwise required to be levied before the issuance of the bonds or obligations under section 475.61, subdivision 1, or the collections thereof may be certified annually to reduce or cancel the initial tax levies in accordance with section 475.61, subdivision 1 or 3.

Subd. 2. [REVENUE BONDS.] Notwithstanding any other law, general or special, or the provisions of any home rule charter to the contrary, a municipality may, by resolution, authorize, issue and sell revenue bonds or obligations payable solely from all or a portion of revenues derived from a district heating system located wholly or partially within a municipality to finance the acquisition, construction, expansion, modification, or operation of a district heating system and for the purpose of loaning the proceeds of the bonds or obligations to any person, firm or public or private corporation to acquire, construct, expand or modify a district heating system. The bonds or obligations shall mature as determined by resolution of the municipality and may be issued

in one or more series and shall bear such date or dates, bear interest at such rate or rates, be in such denomination or denominations, be in such form either coupon or registered, carry such conversion or registration privileges, have such rank or priority, be executed in such manner, be payable in medium of payment at such place or places, and be subject to such terms of redemption, with or without premium, as such resolution, its trust indenture or mortgage may provide. The bonds or obligations may be sold at public or private sale at the price or prices as the municipality by resolution shall determine, and any provision of any law to the contrary notwithstanding, shall be fully negotiable. In any suit, action, or proceedings involving the validity or enforceability of any bonds or obligations of the municipality or the security therefor, any bond or obligation reciting in substance that it has been issued by the municipality to aid in the acquisition, construction, expansion, modification or operation of a district heating system shall be conclusively deemed to have been issued for such purpose. Neither the municipality nor any council member, officer, employee or agent of the municipality nor any person executing the bonds or obligations shall be liable personally on the bonds or obligations by reason of the issuance thereof. The bonds or obligations may be further secured by a pledge and mortgage of all or any portion of the property in aid of which the bonds or obligations are issued and such covenants as the municipality shall deem by such resolution to be necessary and proper to secure payment of the bonds or obligations. The bonds or obligations, and the bonds or obligations shall so state on their face, shall not be payable from nor charged upon any funds other than the revenues and property pledged or mortgaged to the payment thereof, nor shall the issuing municipality be subject to any liability thereon or have the powers to obligate itself to pay or pay the bonds or obligations from funds other than the revenues and properties pledged and mortgaged and no holder or holders of the bonds or obligations shall ever have the right to compel any exercise of any taxing power of the issuing municipality or any other public body to pay the principal of or interest on any such bonds or obligations, nor to enforce payment thereof against any property of the municipality or other public body other than that expressly pledged or mortgaged for the payment thereof.

Sec. 8. [APPROPRIATIONS.]

Subdivision 1. The sum of \$42,400,000 is appropriated from the state building fund to the commissioner of finance for the purpose of making loans to municipalities for district heating systems pursuant to section 1.

Subd. 2. The sum of \$100,000 is appropriated from the general fund to the director of the energy agency for the period ending June 30, 1982, for the purpose of administering loans and grants to municipalities pursuant to section 1. The approved complement of the energy agency is increased by one position.

Subd. 3. The sum of \$300,000 is appropriated from the general fund to the director of the energy agency for the purpose of making planning grants to municipalities pursuant to section 1, subdivision 3.

Subd. 4. The sum of \$3,900,000 is appropriated from the state building fund to the commissioner of administration to install district heating in the capitol complex.

Subd. 5. The sum of \$1,200,000 is appropriated from the state building fund to Moorhead State University to install district heating in its facilities.

Subd. 6. The sum of \$2,500,000 is appropriated from the state building fund to the commissioner of finance for the purpose of making loans to develop wood fuel conversion facilities managed by a consortium consisting of Independent School District No. 692, Babbitt, Independent School District No. 696, Ely, and Independent School District No. 708, Tower-Soudan. The loans shall be repaid to the commissioner of finance over a period not to exceed 20 years, with interest at a rate sufficient to cover the cost to the state of borrowing the money. Repayments shall be credited to the state bond fund. The money shall not be loaned until an agreement authorized pursuant to section 471.59 is executed by the boards of the designated districts. The agreement shall include the organization of the consortium, the management, accounting and allocation of money among members of the consortium, and the consortium's plans for fuel conversion, plant retrofitting and energy conservation.

Subd. 7. The appropriations made by subdivisions 1, 3, 4, 5 and 6 are available until expended and shall not cancel pursuant to section 16A.28 or other law.

Sec. 9. [BOND SALE; DEBT SERVICE.]

To provide the money appropriated from the state building fund by section 8, subdivisions 1, 4, 5, and 6, the commissioner of finance upon request of the governor shall sell and issue bonds of the state in an amount up to \$50,000,000 in the manner, upon the terms, and with the effect prescribed by Minnesota Statutes, Sections 16A.63 to 16A.67, and by the Constitution, Article XI, Sections 4 to 7.

Sec. 10. [EFFECTIVE DATE.]

This act is effective the day following final enactment."

Amend the title as follows:

Page 1, line 11, delete "216B, and" and after "465" insert " , and 475"

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

REPORT OF VOTE IN COMMITTEE

Pursuant to Rule 60, upon the request of three members, a roll call was taken on the first Ulland amendment to S. F. No. 1096.

There were yeas 3 and nays 5, as follows:

Those who voted in the affirmative were: Belanger, Ulland, Waldorf.

Those who voted in the negative were: Berglin, Dahl, Humphrey, Kroening, Stokowski.

The Ulland amendment was not adopted.

REPORT OF VOTE IN COMMITTEE

Pursuant to Rule 60, upon the request of three members, a roll call was taken on the second Ulland amendment to S. F. No. 1096.

There were yeas 2 and nays 6, as follows:

Those who voted in the affirmative were: Belanger, Ulland.

Those who voted in the negative were: Berglin, Dahl, Humphrey, Kroening, Stokowski, Waldorf.

The Ulland amendment was not adopted.

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

S. F. No. 874: A bill for an act relating to energy; requiring the provision of energy audits for multi-family rental housing; expanding certain utility investment programs; amending Minnesota Statutes 1980, Sections 216B.165, Subdivision 2, and by adding a subdivision; and 216B.241, by adding a subdivision.

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

Page 1, after line 9, insert:

"Section 1. Minnesota Statutes 1980, Section 116H.17, is amended by adding a subdivision to read:

Subd. 2. [RENTAL AUDITS.] By July 1, 1981, the state plan shall be amended to require that all utilities performing a residential energy audit pursuant to 42 United States Code 8211 et seq. shall make the audits available at the request of the renter or the owner, or the owner's agent, of property eligible for the audits made pursuant to 42 United States Code 8211 et seq. The results of the audit and a list of conservation financing options shall be provided to the renters and the property owner or manager of the property. Each utility shall submit to the director by September 1, 1981, a plan to promote energy audit services to the owners and tenants of rental property through advertising, public service announcements, mailings or other means.

Sec. 2. Minnesota Statutes 1980, Section 216B.165, Subdivision 1, is amended to read:

Subdivision 1. A customer who asks a public utility to perform an energy audit of his residence pursuant to 42 United States Code 8211 et seq. shall pay no more than \$10 of the administrative and general expenses associated with the audit. In the case of rental housing, the tenant or property owner shall pay no more than \$10 per building for the administrative and general expenses associated with the audit. The remainder of the administrative and general expenses of operating a program of energy audits pursuant to 42 United States Code 8211 et seq., including those associated with program audits, list distribution, customer billing services, arranging services and post-installation inspections shall be treated as current operating expenses of providing utility service and shall be charged to all ratepayers of the public utility in the same manner as other current operating expenses of providing utility service."

Pages 1 and 2, delete section 2.

Page 2, delete lines 10 to 15 and insert:

"Subd. 5. [RENTAL PROGRAMS.] Prior to January 1, 1983, the commission may expand the scope of the pilot program required pursuant to subdivision 2 to include investments by each utility in energy conservation

improvements in rental housing.

Sec. 5. [RULEMAKING.]

The director may promulgate temporary or permanent rules for purposes of section 1."

Page 2, line 17, delete "3" and insert "5"

Renumber the sections in sequence

Amend the title as follows:

Page 1, delete lines 2 to 7 and insert:

"relating to energy; requiring the provision of energy audits for certain rental housing; expanding certain utility investment programs; amending Minnesota Statutes 1980, Sections 116H.17, by adding a subdivision; 216B.165, Subdivisions 1 and 2; and 216B.241, by adding a subdivision."

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

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

S. F. No. 991: A bill for an act relating to social and charitable organizations; increasing the threshold dollar amount required for the use of a certified financial statement; determining what is properly included in cost of goods or services; amending Minnesota Statutes 1980, Sections 309.53, Subdivision 3; and 309.555, Subdivision 2.

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

Page 2, line 31, delete "*nor any*" and insert a period

Page 2, delete lines 32 to 34

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

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

S. F. No. 637: A bill for an act relating to state departments; providing for maintaining museums of Minnesota military history at Fort Snelling and Camp Ripley; appropriating money.

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

Page 1, line 10, delete "*maintaining*" and insert "*making capital improvements to*"

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

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

H. F. No. 214: A bill for an act relating to labor; regulating certain steam

engine and boiler operators; exempting certain operators from testing requirements; amending Minnesota Statutes 1980, Section 183.411.

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

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

S. F. No. 543: A bill for an act relating to taxation; income; providing depreciation and amortization deductions for the rehabilitation and improvement of historic structures; disallowing expenses, losses and depreciation for the alteration or demolition of historic structures; amending Minnesota Statutes 1980, Sections 290.01, Subdivision 20; and 290.09, by adding a subdivision.

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

S. F. No. 760: A bill for an act relating to occupational and professional licensing; removing the consecutive term restriction from the board of nursing; removing delinquent and non-practicing statuses; providing for nursing permits; repealing outdated statutes; amending Minnesota Statutes 1980, Sections 148.181, Subdivision 2; 148.231, Subdivisions 1, 4, 5, and 6; 148.271; 148.294 and 148.295; repealing Minnesota Statutes 1980, Section 148.231, Subdivision 2.

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

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

S. F. No. 857: A bill for an act relating to metropolitan government; authorizing the metropolitan council to prepare guidelines relating to the amendment of comprehensive plans; amending Minnesota Statutes 1980, Section 473.864, Subdivision 2.

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

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

S. F. No. 990: A bill for an act relating to charitable trusts; transferring responsibility of keeping certain records; amending Minnesota Statutes 1980, Sections 501.75; 501.76; 501.77; and 501.78, Subdivision 4.

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

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

H. F. No. 28: A bill for an act relating to agriculture; prohibiting pension or investment funds from farming or acquiring certain farm land; amending Minnesota Statutes 1980, Section 500.24, Subdivisions 2, 3, 4 and 5.

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

Page 2, delete lines 22 to 26 and insert:

“(f) ‘Pension or investment fund’ means a pension or employee welfare benefit fund, however organized, a mutual fund, a life insurance company separate account, a common trust of a bank or other trustee established for the investment and reinvestment of money contributed to it, a real estate investment trust, or an investment company as defined in 15 U.S.C. Section 80a-3, but does not include a private pension fund established by a family farm, authorized farm corporation or family farm corporation.”

Page 6, line 32, after “shareholder” insert a comma

Page 7, line 10, after “No” insert *“pension or investment fund or”*

Page 7, line 18, strike “such”

Page 7, strike lines 19 to 21

Page 7, line 22, strike “1975” and insert *“the year”*

Page 7, line 29, delete the comma and insert *“or”*

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

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

S. F. No. 495: A bill for an act relating to agriculture; requiring department of agriculture approval and receipt of certain grain storage receipts; regulating the family farm security program; changing terms of members of the family farm advisory council; regulating denaturing of certain food; identifying fur pelts; updating references in the shade tree control law; amending Minnesota Statutes 1980, Sections 17.35, Subdivision 7; 18.023, Subdivision 3a; 31.095; 41.52, Subdivisions 5, 8 and 9; 41.54, Subdivision 2; 41.56, Subdivisions 1 and 2; 41.58, Subdivision 2; 232.06, Subdivision 1; 233.03; 234.02; 236.03; 275.50, Subdivision 6; and 290.08, Subdivision 24; repealing Minnesota Statutes 1980, Section 29.091.

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

Page 4, line 2, delete “Minnesota Statutes” and insert *“section 31.05”*

Page 4, line 20, delete *“family farm”*

Page 4, line 23, delete *“persons”* and insert *“person”*

Page 4, line 24, delete the new language

Page 4, line 25, after “rates” insert *“, or by a contract for deed”*

Page 4, after line 33, insert:

“Sec. 7. Minnesota Statutes 1980, Section 41.52, is amended by adding a subdivision to read:

Subd. 11. ‘Cooperating agency’ means any individual, financial institution, state or federal agency, or any other legal entity which executes a

memorandum of understanding with the family farm security program.

Sec. 8. Minnesota Statutes 1980, Section 41.52, is amended by adding a subdivision to read:

Subd. 12. "Memorandum of understanding" means an agreement outlining conditions under which a cooperating agency will provide farm real estate loan funds not to be included under a family farm loan guarantee to applicants."

Page 6, after line 10, insert:

"Sec. 12. Minnesota Statutes 1980, Section 41.56, Subdivision 3, is amended to read:

Subd. 3. [DEFAULT, FILING CLAIM.] Within 90 days of a default on a guaranteed family farm security loan, the lender shall send notice to the applicant stating that the commissioner must be notified if the default continues for 180 days, and the consequences of that default. The lender and the applicant may agree to take any steps reasonable to assure the fulfillment of the loan obligation.

After 180 days from the initial default, if the applicant has not made arrangements to meet his obligation, the lender shall file a claim with the commissioner, identifying the loan and the nature of the default, and assigning to the state all of the lender's security and interest in the loan in exchange for payment according to the terms of the family farm security loan guarantee. In the case of a seller-sponsored loan, the seller may elect to pay the commissioner all sums owed the commissioner by the applicant and retain title to the property in lieu of payment by the commissioner under the terms of the loan guarantee. If the commissioner determines that the terms of the family farm security loan guarantee have been met, he shall authorize payment of state funds to the lender, and shall notify the defaulting party. The state of Minnesota shall then ~~become the holder of the mortgage and succeed to the interest of the mortgagee or the vendor of the contract for deed.~~ Taxes shall be levied and paid on the land as though the owner were a natural person and not a political subdivision of the state. The commissioner may, on behalf of the state, commence foreclosure or termination proceedings in the manner provided by law.

Sec. 13. Minnesota Statutes 1980, Section 41.56, Subdivision 4, is amended to read:

Subd. 4. [SALE OF DEFAULTED PROPERTY.] In the event that title to the property is acquired by the state, upon conveyance of title to the state and expiration of the period of redemption, the commissioner shall, within 15 days of the expiration of such period, undertake to sell the property by publishing a notice of the impending sale at least once each week for four successive weeks in a legal newspaper and also in a newspaper of general distribution in the county in which the property to be sold is situated. Such notice shall specify the time and place in the county at which the sale will commence, a description of the lots or tracts to be offered, and a general statement of the terms of sale. Except as further provided in this subdivision, the terms and method of sale shall be determined by the commissioner. The commissioner shall sell the property to the highest bidder as determined by taking sealed bids or by public auction, provided that in either event he shall select the successful bidder within 15 days of the date of the last published notice of sale. Bidders shall

submit bid security in the form of a certified check or bid bond in the amount of two percent of their bid price and the successful bidder shall remit the balance of the purchase price to the commissioner within 90 days of the date of sale. Upon remittance of such balance within 90 days of the date of sale, the commissioner shall transfer title to the property, *including any acquired mineral rights*, to the purchaser by quitclaim deed. In the event that the purchaser fails to remit any part of such balance within 90 days of the date of sale, the purchaser shall forfeit all rights to the property and any moneys paid thereon and the state shall recommence the sale process as specified in this subdivision. Proceeds from the sale of a parcel of property obtained by the state pursuant to this section shall be paid into the ~~into the~~ special account authorized in section 41.61, subdivision 1, to the extent that funds from the special account were disbursed according to the terms of the family farm security loan guarantee and into the general fund to the extent that funds were disbursed as payment adjustments by the commissioner. Proceeds in excess of these amounts shall be paid to the lender to the extent that payment to the lender pursuant to the loan guarantee was less than the money due and payable to the lender under the family farm security loan. *Proceeds in excess of these amounts shall be paid to cooperating agencies according to the terms of the family farm security memorandum of understanding.* Additional proceeds, if any, shall be paid into the general fund."

Page 7, line 30, strike "the" and insert "warehouse"

Page 7, line 30, strike "of his", delete "or her" and strike "warehouse"

Pages 9 and 10, delete section 13 and insert:

"Sec. 17. Minnesota Statutes 1980, Section 234.27, is amended to read:

234.27 [UNIFORM COMMERCIAL CODE TO APPLY.]

All the provisions of article 7 of the uniform commercial code, relative to the negotiation, transfer, sale, or endorsement of warehouse receipts, shall, so far as possible, apply to the negotiation, transfer, sale, or endorsement of the certificates provided for herein.

For the purpose of application of the uniform commercial code:

(a) *A certificate authorized by the department which evidences the storing of grain under the provisions of chapter 234 is a document of title as defined in section 336.1-201, clause (15); and*

(b) *A person who has title to and possession of any grain stored under the provisions of chapter 234 is a warehouseman as defined in section 336.7-102, clause (1)(h)."*

Page 10, after line 27, insert:

"Sec. 20. Minnesota Statutes 1980, Section 290.01, Subdivision 20, is amended to read:

Subd. 20. [GROSS INCOME.] Except as otherwise provided in this chapter, the term "gross income," as applied to corporations includes every kind of compensation for labor or personal services of every kind from any private or public employment, office, position or services; income derived from the ownership or use of property; gains or profits derived from every kind of disposition of, or every kind of dealing in, property; income derived from

the transaction of any trade or business; and income derived from any source; except that gross income shall not include "exempt function income" of a "homeowners association" as those terms are defined in Section 528 of the Internal Revenue Code of 1954, as amended through December 31, 1979.

The term "gross income" in its application to individuals, estates, and trusts shall mean the adjusted gross income as computed for federal income tax purposes as defined in the Internal Revenue Code of 1954, as amended through the date specified herein for the applicable taxable year, with the modifications specified in this section.

(i) The Internal Revenue Code of 1954, as amended through December 31, 1974, shall be in effect for the taxable years beginning after December 31, 1974.

(ii) The Internal Revenue Code of 1954, as amended through December 31, 1976, including the amendments made to section 280A (relating to licensed day care centers) in H.R. 3477 as it passed the Congress on May 16, 1977, shall be in effect for the taxable years beginning after December 31, 1976. The provisions of the Tax Reform Act of 1976, P.L. 94-455, which affect adjusted gross income shall become effective for purposes of this chapter at the same time they become effective for federal income tax purposes. Section 207 (relating to extension of period for nonrecognition of gain on sale or exchange of residence) and section 402 (relating to time for making contributions to pension plans of self employed people) of P.L. 94-12 shall be effective for taxable years beginning after December 31, 1974.

The provisions of section 4 of P.L. 95-458, and sections 131, 133, 134, 141, 152, 156, 157, and 405 of P.L. 95-600 (relating to pensions, individual retirement accounts, deferred compensation plans, and to the sale of a residence) shall be effective at the same time that these provisions became effective for federal income tax purposes.

(iii) The Internal Revenue Code of 1954, as amended through December 31, 1979, shall be in effect for taxable years beginning after December 31, 1979.

For taxable years beginning after December 31, 1980 and before January 1, 1983, the provisions of section 404 (relating to partial exclusions of dividends and interest received by individuals) of the Crude Oil Windfall Profit Tax Act of 1980, P.L. 96-223, shall apply.

References to the Internal Revenue Code of 1954 in clauses (a), (b) and (c) following shall mean the code in effect for the purpose of defining gross income for the applicable taxable year.

(a) Modifications increasing federal adjusted gross income. There shall be added to federal adjusted gross income:

(1) Interest income on obligations of any state other than Minnesota or a political subdivision of any other state exempt from federal income taxes under the Internal Revenue Code of 1954;

(2) Interest income on obligations of any authority, commission, or instrumentality of the United States, which the laws of the United States exempt from federal income tax, but not from state income taxes;

(3) Income taxes imposed by this state or any other taxing jurisdiction, to the

extent deductible in determining federal adjusted gross income and not credited against federal income tax;

(4) Interest on indebtedness incurred or continued to purchase or carry securities the income from which is exempt from tax under this chapter, to the extent deductible in determining federal adjusted gross income;

(5) Amounts received as reimbursement for an expense of sickness or injury which was deducted in a prior taxable year to the extent that the deduction for the reimbursed expenditure resulted in a tax benefit;

(6) The amount of any federal income tax overpayment for any previous taxable year, received as refund or credited to another taxable year's income tax liability, proportionate to the percentage of federal income tax that was claimed as a deduction in determining Minnesota income tax for the previous taxable year.

The overpayment refund or credit, determined with respect to a husband and wife on a joint federal income tax return for a previous taxable year, shall be reported on joint or separate Minnesota income tax returns. In the case of separate Minnesota returns, the overpayment shall be reported by each spouse proportionately according to the relative amounts of federal income tax claimed as a deduction on his or her separate Minnesota income tax return for such previous taxable year;

(7) In the case of a change of residence from Minnesota to another state or nation, the amount of moving expenses which exceed total reimbursements and which were therefore deducted in arriving at federal adjusted gross income;

(8) In the case of property disposed of on or after January 1, 1973, the amount of any increase in the taxpayer's federal tax liability under section 47 of the Internal Revenue Code of 1954 to the extent of the credit under section 38 of the Internal Revenue Code of 1954 that was previously allowed as a deduction either under section 290.01, subdivision 20 (b) (7) or under section 290.09, subdivision 24;

(9) Expenses and losses arising from a farm which are not allowable under section 290.09, subdivision 29;

(10) Expenses and depreciation attributable to substandard buildings disallowed by section 290.101;

(11) The amount by which the gain determined pursuant to section 41.59, subdivision 2 exceeds the amount of such gain included in federal adjusted gross income;

(12) To the extent deducted in computing the taxpayer's federal adjusted gross income for the taxable year, losses recognized upon a transfer of property to the spouse or former spouse of the taxpayer in exchange for the release of the spouse's marital rights;

(13) Interest income from qualified scholarship funding bonds as defined in section 103(e) of the Internal Revenue Code of 1954, if the nonprofit corporation is domiciled outside of Minnesota;

(14) Exempt-interest dividends, as defined in section 852(b)(5)(A) of the Internal Revenue Code of 1954, not included in federal adjusted gross income pursuant to section 852(b)(5)(B) of the Internal Revenue Code of 1954, except

for that portion of exempt-interest dividends derived from interest income on obligations of the state of Minnesota, any of its political or governmental subdivisions, any of its municipalities, or any of its governmental agencies or instrumentalities;

(15) The amount of any excluded gain recognized by a trust on the sale or exchange of property as defined in section 641(c)(1) of the Internal Revenue Code of 1954;

(16) An amount equal to one-sixth of any gain from the sale or other disposition of property deducted under sections 1202(a) and 1202(c)(1) of the Internal Revenue Code of 1954;

(17) To the extent not included in the taxpayer's federal adjusted gross income, the amount of any gain, from the sale or other disposition of property having a lower adjusted basis for Minnesota income tax purposes than for federal income tax purposes. This modification shall not exceed the difference in basis. If the gain is considered a long term capital gain for federal income tax purposes, the modification shall be limited to 50 percent of the portion of the gain. This modification is limited to property that qualified for the energy credit contained in section 290.06, subdivision 14, and to property acquired in exchange for the release of the taxpayer's marital rights contained in section 290.14, clause (9);

(18) The amount of any loss from a source outside of Minnesota which is not allowed under section 290.17 including any capital loss or net operating loss carryforwards or carrybacks resulting from the loss; and

(19) The amount of a distribution from an individual housing account which is to be included in gross income as required under clause (c) of section 290.09, subdivision 30.

(b) Modifications reducing federal adjusted gross income. There shall be subtracted from federal adjusted gross income:

(1) Interest income on obligations of any authority, commission or instrumentality of the United States to the extent includible in gross income for federal income tax purposes but exempt from state income tax under the laws of the United States;

(2) The portion of any gain, from the sale or other disposition of property having a higher adjusted basis for Minnesota income tax purposes than for federal income tax purposes, that does not exceed such difference in basis; but if such gain is considered a long-term capital gain for federal income tax purposes, the modification shall be limited to 50 per centum of the portion of the gain. This modification shall not be applicable if the difference in basis is due to disallowance of depreciation pursuant to section 290.101.

(3) Interest or dividend income on securities to the extent exempt from income tax under the laws of this state authorizing the issuance of the securities but includible in gross income for federal income tax purposes;

(4) Losses, not otherwise reducing federal adjusted gross income assignable to Minnesota, arising from events or transactions which are assignable to Minnesota under the provisions of sections 290.17 to 290.20, including any capital loss or net operating loss carryforwards or carrybacks resulting from the losses;

(5) If included in federal adjusted gross income, the amount of any credit received, whether received as a refund or credit to another taxable year's income tax liability, pursuant to chapter 290A, and the amount of any overpayment of income tax to Minnesota, or any other state, for any previous taxable year, whether the amount is received as a refund or credited to another taxable year's income tax liability;

(6) To the extent included in federal adjusted gross income, or the amount reflected as the ordinary income portion of a lump sum distribution under section 402(e) of the Internal Revenue Code of 1954, notwithstanding any other law to the contrary, the amount received by any person (i) from the United States, its agencies or instrumentalities, the Federal Reserve Bank or from the state of Minnesota or any of its political or governmental subdivisions or from any other state or its political or governmental subdivisions, or a Minnesota volunteer firefighter's relief association, by way of payment as a pension, public employee retirement benefit, or any combination thereof, or (ii) as a retirement or survivor's benefit made from a plan qualifying under section 401, 403, 404, 405, 408, 409 or 409A of the Internal Revenue Code of 1954. The maximum amount of this subtraction shall be \$11,000 less the amount by which the individual's federal adjusted gross income, plus the ordinary income portion of a lump sum distribution as defined in section 402(e) of the Internal Revenue Code of 1954, exceeds \$17,000. In the case of a volunteer firefighter who receives an involuntary lump sum distribution of his pension or retirement benefits, the maximum amount of this subtraction shall be \$11,000; this subtraction shall not be reduced by the amount of the individual's federal adjusted gross income in excess of \$17,000;

(7) In the case of property acquired on or after January 1, 1973, the amount of any credit to the taxpayer's federal tax liability under section 38 of the Internal Revenue Code of 1954 but only to the extent that the credit is connected with or allocable against the production or receipt of income included in the measure of the tax imposed by this chapter;

(8) To the extent included in the taxpayer's federal adjusted gross income for the taxable year, gain recognized upon a transfer of property to the spouse or former spouse of the taxpayer in exchange for the release of the spouse's marital rights;

(9) The amount of any distribution from a qualified pension or profit sharing plan included in federal adjusted gross income in the year of receipt to the extent of any contribution not previously allowed as a deduction by reason of a change in federal law which was not adopted by Minnesota law for a taxable year beginning in 1974 or later;

(10) Interest, including payment adjustment to the extent that it is applied to interest, earned by the seller of the property on a family farm security loan executed before January 1, ~~1982~~ 1986 that is guaranteed by the commissioner of agriculture as provided in sections 41.51 to 41.60;

(11) The first \$3,000 of compensation for personal services in the armed forces of the United States or the United Nations, and the next \$2,000 of compensation for personal services in the armed forces of the United States or the United Nations wholly performed outside the state of Minnesota. This modification does not apply to compensation defined in clause (b)(6);

(12) The amount of any income earned for personal services rendered out-

side of Minnesota prior to the date when the taxpayer became a resident of Minnesota. This modification does not apply to compensation defined in clause (b)(6);

(13) In the case of wages or salaries paid or incurred on or after January 1, 1977, the amount of any credit for employment of certain new employees under sections 44B and 51 to 53 of the Internal Revenue Code of 1954 which is claimed as a credit against the taxpayer's federal tax liability, but only to the extent that the credit is connected with or allocable against the production or receipt of income included in the measure of the tax imposed by this chapter;

(14) In the case of work incentive program expenses paid or incurred on or after January 1, 1979, the amount of any credit for expenses of work incentive programs under sections 40, 50A and 50B of the Internal Revenue Code of 1954 which is claimed as a credit against the taxpayer's federal tax liability, but only to the extent that the credit is connected with or allocable against the production or receipt of income included in the measure of the tax imposed by this chapter;

(15) Unemployment compensation to the extent includible in gross income for federal income tax purposes under section 85 of the Internal Revenue Code of 1954;

(16) To the extent included in federal adjusted gross income, severance pay that may be treated as a lump sum distribution under the provisions of section 290.032, subdivision 5;

(17) The amount of any income or gain which is not assignable to Minnesota under the provisions of section 290.17; and

(18) Minnesota exempt-interest dividends as provided by subdivision 27.

(c) Modifications affecting shareholders of electing small business corporations under section 1372 of the Internal Revenue Code of 1954, or section 290.972 of this chapter.

(1) Shareholders in a small business corporation, which has elected to be so taxed under the Internal Revenue Code of 1954, but has not made an election under section 290.972 of this chapter, shall deduct from federal adjusted gross income the amount of any imputed income from the corporation and shall add to federal adjusted gross income the amount of any loss claimed as a result of stock ownership. Also there shall be added to federal adjusted gross income the amount of any distributions in cash or property made by said corporation to its shareholders during the taxable year.

(2) In cases where the small business corporation has made an election under section 1372 of the Internal Revenue Code of 1954, but has not elected under section 290.972 of this chapter and the corporation is liquidated or the individual shareholder disposes of the stock and there is no capital loss reflected in federal adjusted gross income because of the fact that corporate losses have exhausted the shareholders basis for federal purposes, the shareholders shall be entitled, nevertheless, to a capital loss commensurate to their Minnesota basis for the stock.

(3) In cases where the election under section 1372 of the Internal Revenue Code of 1954 antedates the election under section 290.972 of this chapter and at the close of the taxable year immediately preceding the effective election

under section 290.972 the corporation has a reserve of undistributed taxable income previously taxed to shareholders under the provisions of the Internal Revenue Code of 1954, in the event and to the extent that the reserve is distributed to shareholders the distribution shall be taxed as a dividend for purposes of this act.

Items of gross income includible within these definitions shall be deemed such regardless of the form in which received. Items of gross income shall be included in gross income of the taxable year in which received by a taxpayer unless properly to be accounted for as of a different taxable year under methods of accounting permitted by section 290.07, except that (1) amounts transferred from a reserve or other account, if in effect transfers to surplus, shall, to the extent that the amounts were accumulated through deductions from gross income or entered into the computation of taxable net income during any taxable year, be treated as gross income for the year in which the transfer occurs, but only to the extent that the amounts resulted in a reduction of the tax imposed by this act, and (2) amounts received as refunds on account of taxes deducted from gross income during any taxable year shall be treated as gross income for the year in which actually received, but only to the extent that such amounts resulted in a reduction of the tax imposed by this act.

(d) Modification in computing taxable income of the estate of a decedent. Amounts allowable under section 291.07, subdivision 1, clause (2) in computing Minnesota inheritance or estate tax liability shall not be allowed as a deduction in computing the taxable income of the estate unless there is filed within the time and in the manner and form prescribed by the commissioner a statement that the amounts have not been allowed as a deduction under section 291.07 and a waiver of the right to have the amounts allowed at any time as deductions under section 291.07. The provisions of this paragraph shall not apply with respect to deductions allowed under section 290.077 (relating to income in respect of decedents). In the event that the election made for federal tax purposes under section 642(g) of the Internal Revenue Code of 1954 differs from the election made under this paragraph appropriate modification of the estate's federal taxable income shall be made to implement the election made under this paragraph in accordance with regulations prescribed by the commissioner.

Page 11, line 1, delete "Section 29.091, is" and insert "Sections 29.091 and 234.02, are"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 11, after "9" insert ", and by adding subdivisions"

Page 1, line 11, delete "and 2" and insert ", 2, 3 and 4"

Page 1, line 13, delete "234.02" and insert "234.27"

Page 1, line 13, after "6;" insert "290.01, Subdivision 20;"

Page 1, line 15, delete "Section 29.091" and insert "Sections 29.091 and 234.02"

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

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

S. F. No. 681: A bill for an act relating to education; providing mobility incentives for teachers at the school for the deaf and at the braille and sight-saving school; amending Minnesota Statutes 1980, Section 354.094, Subdivisions 1, 3, 5 and 6; proposing new law coded in Minnesota Statutes, Chapters 128A and 354.

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

Delete everything after the enacting clause and insert:

“Section 1. [128A.09] [TEACHER MOBILITY INCENTIVES.]

Subdivision 1. [APPLICATION OF SECTIONS 125.60, 125.611, and 354.66.] The teacher mobility incentives in sections 125.60 and 125.611 shall apply to teachers at the school for the deaf and the braille and sight-saving school as provided by this section.

Subd. 2. [TEACHERS.] Teachers at the school for the deaf and teachers at the braille and sight-saving school are teachers for the purposes of sections 125.60, subdivision 1, and 125.611, subdivision 1.

Subd. 3. [STATE BOARD OF EDUCATION.] The state board of education is a school board for the purposes of sections 125.60 and 125.611, except that section 125.60, subdivisions 2a and 7, shall not apply to the state board of education.

Subd. 4. [SCHOOL DISTRICTS.] The school for the deaf and the braille and sight-saving school are school districts for the purposes of sections 125.60 and 125.611.

Subd. 5. [PUBLIC SCHOOLS.] The school for the deaf and sight-saving school are public elementary and secondary schools for the purposes of sections 125.60 and 125.611.

Subd. 6. [SUPERVISORS.] Supervisors at the school for the deaf or the braille and sight-saving school are superintendents for the purposes of section 125.60, subdivision 6b.

Subd. 7. [PAYMENTS.] Notwithstanding section 125.611, subdivision 10, the state shall pay 100 percent of the amounts paid as an early retirement incentive to a teacher at the school for the deaf or the braille and sight-saving school.”

Amend the title as follows:

Page 1, line 4, delete “amending Minnesota”

Page 1, delete line 5

Page 1, line 6, delete “and 6;”

Page 1, line 7, delete “Chapters” and insert “Chapter”

Page 1, line 7, delete “and 354”

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

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

referred

S. F. No. 939: A bill for an act relating to human rights; clarifying the meaning of reprisal; permitting the filing of a charge of unfair discriminatory practice directly in district court; authorizing injunctions for acts of reprisal; increasing the award of punitive damages; permitting the recovery of damages for mental anguish and suffering; amending Minnesota Statutes 1980, Sections 363.03, Subdivision 7; 363.06, Subdivisions 1, 3 and 4; 363.071, Subdivision 2; and 363.14, Subdivision 1.

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

Pages 1 and 2, delete section 1

Page 2, line 10, delete "5" and insert "*364.14, subdivision 1(a),*"

Page 2, line 24, strike "charge" and insert "*claim*"

Page 2, line 25, after "*action*" insert "*pursuant to section 363.14, subdivision 1(a),*"

Page 2, line 26, after "*filed*" insert "*in a charge*"

Page 4, line 5, before "*the*" insert "*, at any time after the filing of a charge,*"

Page 4, line 5, delete "*determines that a reprisal in*" and insert "*has reason to*"

Page 4, line 6, delete the new language and strike "*after the*"

Page 4, strike line 7

Page 4, line 8, delete "*other*"

Page 4, line 23, before "The" insert "*Except as modified by this section,*"

Page 6, line 16, after "*or*" insert "*, notwithstanding the provisions of any other law to the contrary,*"

Page 6, line 31, delete "*clause*" and insert "*subdivision*"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 2, delete "clarifying the meaning of"

Page 1, line 3, delete "reprisal;"

Page 1, line 9, delete "363.03, Subdivision 7;"

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

Mr. Moe, R. D. from the Committee on Rules and Administration, to which was referred

S. F. No. 315: A bill for an act relating to health; establishing a state advisory council on epilepsy; appropriating money.

Reports the same back with the recommendation that the bill be re-referred to the Committee on Health, Welfare and Corrections. Report adopted.

Mr. Moe, R. D. from the Committee on Rules and Administration, to which was re-referred

S. F. No. 523: A bill for an act relating to the cities of St. Paul and Minneapolis; exempting a certain joint housing bonding program from the provisions of Minnesota Statutes, Section 462C.07, Subdivision 2.

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

Mr. Moe, R.D. from the Committee on Rules and Administration, to which was re-referred

S. F. No. 763: A bill for an act relating to the cities of Minneapolis and St. Paul; authorizing the implementation of energy conservation programs; authorizing the financing of residential energy conservation programs; authorizing the issuance of qualified mortgage bonds.

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

Mr. Moe, R. D. from the Committee on Rules and Administration, to which was re-referred

S. F. No. 808: A bill for an act relating to the city of Duluth; authorizing the establishment of a home energy conservation program as part of its municipal utility system and the issuance of municipal revenue bonds or notes for that purpose; requiring a report to the legislature.

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

Mr. Moe, R. D. from the Committee on Rules and Administration, to which was re-referred

S. F. No. 903: A bill for an act relating to the city of Minneapolis; providing for amendment of certain special revenue obligations; amending Laws 1975, Chapter 188, Section 3, by adding a subdivision.

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

Mr. Moe, R. D. from the Committee on Rules and Administration, to which was referred

House Concurrent Resolution No. 2: A House concurrent resolution relating to joint rules; adopting permanent joint rules of the Senate and House of Representatives.

BE IT RESOLVED by the House of Representatives, the Senate concurring therein:

The joint rules of the Senate and House of Representatives for the 72nd session of the Legislature shall read as follows:

**JOINT RULES OF THE SENATE AND
HOUSE OF REPRESENTATIVES****TABLE OF CONTENTS****ARTICLE I: JOINT CONVENTIONS**

- 1.01 How Governed
- 1.02 President's Duties
- 1.03 President's Right to Vote
- 1.04 Stating Questions
- 1.05 Order of Debate
- 1.06 Calling Member to Order
- 1.07 Call of the Convention
- 1.08 Elections
- 1.09 No Smoking
- 1.10 Parliamentary Procedure

ARTICLE II: BILLS

- 2.01 Form
- 2.02 Appropriating Money
- 2.03 Deadlines
- 2.04 Amending Bills Originating in other House
- 2.05 Receding From Position
- 2.06 Conference Committees
- 2.07 Enrollment and Signature

ARTICLE III: GENERAL PROVISIONS

- 3.01 Suspension of Joint Rules
- 3.02 Odd Year Session Adjournment
- 3.03 Interim Committee and Commission Reports

ARTICLE I: JOINT CONVENTIONS**HOW GOVERNED**

Rule 1.01. The Speaker of the House shall preside at all Conventions of the two houses of the Legislature and shall call the members to order. The Chief Clerk of the House shall be the Secretary and the Sergeant at Arms of the House shall be the Sergeant at Arms of the Convention.

PRESIDENT'S DUTIES

Rule 1.02. The President of the Convention shall preserve order and decorum. He may speak on all points of order in preference to other members and shall decide questions of order, subject to an appeal to the Convention by any member. He shall rise to put a question but may state it while seated.

PRESIDENT'S RIGHT TO VOTE

Rule 1.03. The President shall have the right to vote in all cases except appeals from his decisions. He shall vote last on all questions.

STATING QUESTIONS

Rule 1.04. Questions shall be put to the Convention in the following form: "As many as are of the opinion that (the question) shall pass, say 'Aye.'" After an affirmative vote is expressed the nays shall be called as follows: "As many as are of the contrary opinion, say 'No.'" If the President is in doubt or a division is called, those in the affirmative shall rise first and those in the negative afterward.

ORDER OF DEBATE

Rule 1.05. When any member wishes to speak to the Convention on any matter, he shall rise and respectfully address the President, and not speak further until recognized. He shall confine himself to the question under debate and avoid personal remarks. When two or more members rise at the same time, the President shall designate the member to speak first. No member shall speak more than twice on the same question without permission of the Convention.

CALLING MEMBER TO ORDER

Rule 1.06. If any member of the Joint Convention is called to order for offensive words in debate, the member calling him to order shall report the words to which exception is taken and the Secretary shall record them. No member may be called to order for any language used in debate if exception is not taken before any other member has spoken or any other business has taken place. A member called to order shall immediately sit down unless another member moves to permit him to explain. In any case, the Joint Convention, if appealed to, shall decide without debate. Only if the decision is in favor of the member called to order shall he be at liberty to proceed.

CALL OF THE CONVENTION

Rule 1.07. Five members may demand a call of the Convention at any time except after voting has commenced. When such a call is demanded, the doors shall be closed, the roll shall be called, the absent members shall be sent for, and no member may be permitted to leave the Chamber, unless excused by the President, until the call is lifted. Proceedings under the roll call may be suspended by a majority vote of all the members of the Convention. A call of the Convention may be lifted by a majority vote of all the members of the Convention.

ELECTIONS

Rule 1.08. In all elections by the Joint Convention, members shall vote viva voce and the role of Senate members shall be called first. Whenever there is an election of any officer in Joint Convention, the result shall be certified by the President of the Senate and the Speaker of the House and announced by them to their respective houses. The result shall be entered on the Journal of each house and communicated to the Governor by the Secretary of the Convention.

NO SMOKING

Rule 1.09. No person is permitted to smoke in the Chamber or in the gallery during a Joint Convention.

PARLIAMENTARY PROCEDURE

Rule 1.10. The rules of the House shall be the Rules of the Joint Convention of both houses in all cases in which the foregoing rules are not applicable.

ARTICLE II: BILLS

FORM

Rule 2.01. The title of each bill shall clearly state its subject and briefly state its purpose. When a bill amends or repeals an existing act, the title shall refer to the chapter, section or subdivision.

Reference shall be made to Minnesota Statutes for the provisions appearing therein unless reference to previous session laws is required for some special reason.

Bills shall refer to Minnesota Statutes as follows:

“Minnesota Statutes, Section”

Bills shall refer to the session laws as follows:

“Laws, Chapter, Section”

A bill for the amendment of a statute shall contain the full text of the section or subdivision to be amended as it appears in the latest edition of Minnesota Statutes unless it has been amended ~~at a later session~~, in which event it shall contain the full text as amended.

The words and characters constituting the amending matter shall be inserted in the proper place in the text and underscored. The words and characters to be eliminated by the amendment shall be stricken by drawing a line through them. The text of a new section or subdivision shall also be underscored when a bill amends an existing chapter or section by adding a new section or subdivision. In the omnibus appropriation bills required by Joint Rule 2.02, sections making an appropriation or transfer and not amending a statute or session law need not have new material underscored. Before a committee favorably reports upon a bill, the chairman of the committee shall see that the bill conforms to this rule. ~~Printed bills shall be in the same form.~~ When a bill is printed in the Journal, the new matter shall be in italics or underscored and the matter to be eliminated shall be capitalized and in parentheses or stricken by drawing a line through it. A bill drafted by the Revisor of Statutes for the purposes of correcting errors in Minnesota Statutes need not comply with the provisions of this paragraph if the bill is labeled “REVISOR’S BILL” immediately below the title, and if there is attached thereto a memorandum of information explaining the reasons for the bill.

If the bill is for an original law and not for an amendment of an existing law, the sections and subdivisions shall be arranged, subdivided, and numbered in like manner as Minnesota Statutes. If such a bill assigns to the sections thereof headnotes or identification by the decimal system of numbering used in Min-

nesota Statutes, such headnotes and decimal identification may be submitted by standing committee chairmen to the Revisor of Statutes for examination. Any such headnotes shall be capital letters enclosed in brackets, and shall be subject to the provisions of Minnesota Statutes, Section 648.36.

All numbers in titles shall be expressed in figures. All numbers of section or chapter of law shall be in figures. In the body of a bill numbers in excess of ten shall be in figures, except for a special reason they may be written, but when written they shall not be followed by numbers or parentheses.

APPROPRIATING MONEY

Rule 2.02. The same bill shall not appropriate public money or property to more than one local or private purpose.

No clause appropriating money for a local or private purpose shall be contained in a bill appropriating money for the State government or public institutions. All resolutions authorizing the issuing of abstracts by the Secretary of the Senate or the Chief Clerk of the House for the payment of money shall be upon the call of "yeas" and "nays."

In odd-numbered years, at least twenty calendar days prior to the adjournment of last day the Legislature can meet in regular session [April 28, 1981], the Committee on Finance of the Senate and the Committee on Appropriations of the House shall report to their respective houses, unless directed by concurrent resolution to report different appropriation bills, eight separate appropriation bills as follows:

(a) A bill appropriating money for the general administrative and judicial expenses of the State government for the succeeding two fiscal years including salaries, office expenses and supplies and other necessary expenses connected therewith;

(b) A bill covering all appropriations relating to public welfare, health and corrections for the support and maintenance of all State penal and charitable institutions, and other institutions of the State except educational for the two succeeding fiscal years;

(c) A bill appropriating money for the support and maintenance of all State educational institutions for the two succeeding fiscal years;

(d) A bill covering all appropriations providing for the payment of claims against the State of Minnesota which may have been allowed by the Finance Committee of the Senate or the Appropriations Committee of the House;

(e) A bill covering all appropriations made for semi-state activities;

(f) A bill covering all appropriations for construction and major rehabilitation of public buildings to be financed by issuance of bonds;

(g) A bill covering all appropriations for maintenance, repair, and minor rehabilitation and construction of public buildings; and

(h) A bill covering appropriations for the department of transportation.

No other appropriations shall be contained in any of said bills but all other appropriations shall be contained in separate bills.

DEADLINES

Rule 2.03. (a) In ~~1978~~ *odd-numbered years*, committee reports on bills favorably acted upon by a committee in the house of origin after the ~~fifth Friday, March 3~~ *prior to the last Friday on which the Legislature can meet in regular session [April 10, 1981]*, and committee reports on bills originating in the other house favorably acted upon by a committee after the ~~third Friday, March 10~~ *prior to the last Friday on which the Legislature can meet in regular session [April 24, 1981]* shall be referred in the Senate to the Committee on Rules and Administration, and in the House of Representatives to the Committee on Rules and Legislative Administration for disposition. Referral is not required when a committee after ~~March 3~~ *the earlier date* and by ~~March 10~~ *the later date set by this paragraph* acts on a bill that is a companion to a bill that has met the ~~March 3~~ *earlier* deadline in the other house. This rule does not apply to the Senate Committees on Finance and on Taxes and Tax Laws, and the House Committees on Appropriations and on Taxes.

Conference committees on the major appropriation bills specified in Joint Rule 2.02 shall have their reports on the members' desks by ~~Tuesday, March 14~~ *the last Thursday on which the Legislature can meet in regular session [May 14, 1981]*. After ~~Wednesday, March 15~~ *the last Friday on which the Legislature can meet in regular session [May 15, 1981]*, neither house shall act on bills other than those contained in:

- (a 1) Reports of conference committees;
- (b 2) Messages from the other house;
- (c 3) Reports of the Committee on Rules and Administration in the Senate or the Committee on Rules and Legislative Administration in the House; or
- (d 4) Messages from the governor.

(b) *In even-numbered years the Legislature shall establish by concurrent resolution deadlines comparable to those set by paragraph (a) based on the date intended to be the date of adjournment sine die.*

AMENDING BILLS ORIGINATING IN OTHER HOUSE

Rule 2.04. Either house shall have the power to amend any bill, memorial, or resolution passed by the other house.

RECEDING FROM POSITION

Rule 2.05. Prior to a conference committee on any matter, either house may recede from its position on any difference existing between the two houses. In order to recede, and if the matter is not in the possession of a house, that house shall request return of the matter from the other house. To recede, a majority of a house shall govern, except in cases otherwise provided in the Constitution. If the question is put and lost, it shall not be put again on the same day. A reconsideration of the question shall in all respects be regulated by the rules of that house.

CONFERENCE COMMITTEES

Rule 2.06. In all cases of disagreement between the Senate and House on amendments adopted by either house to a bill, memorial or resolution passed by the other house, a Conference Committee consisting of not less than three

members nor more than five members from each house may be requested by either house. The other house shall appoint a similar committee.

The manner of procedure shall be as follows: The house of origin passes a bill and transmits it to the other body. If the other body adopts an amendment to the bill and passes it as amended, it shall return the bill with a record of its actions to the house of origin. If the house of origin refuses to concur in the amendment, it shall ask for a conference committee, appoint such a committee on its part, and transmit the bill with a record of its action to the other house. If the other house adheres to its amendment, it shall appoint a like committee and return the bill to the house of origin.

At an agreed upon hour the conference committee shall meet. The members from each house shall state to the members from the other house, orally or in writing, the reason for their respective positions. The members shall confer thereon and shall report to their respective houses the agreement they have reached, or, if none, the fact of a disagreement. ~~Within seven calendar days after the appointment of a conference committee, and every seven calendar days thereafter until such time as the conference committee is discharged, the conference committee shall report its progress to each house.~~ If an agreement is reported, the house of origin shall act first upon the report. If the report is adopted and repassed as amended by the conference committee by the house of origin, the report, the bill and a record of its action shall be transmitted to the other house.

All Conference Committees shall be open to the public. Meetings of Conference Committees shall be announced as far in advance as practical.

~~Except on the last two days on which a bill may be passed in any year after the last Thursday on which the Legislature can meet in regular session in odd-numbered years [May 14, 1981], and after the last Thursday on which the Legislature intended, when it adopted the concurrent resolution required by Rule 2.03, paragraph (b), to meet in regular session in even-numbered years,~~ a written copy of a report of a Conference Committee shall be placed on the desk of each member of a house twelve hours before action on the report by that house. If the report has been reprinted in the Journal of either house for a preceding day and is available to the members, the Journal copy shall serve as the written report.

ENROLLMENT AND SIGNATURE

Rule 2.07. After a bill or memorial has been passed by both houses, it shall be carefully and properly enrolled by the Revisor of Statutes under the direction of the Secretary of the Senate for a matter originating in the Senate or the Chief Clerk of the House for a matter originating in the House. The Revisor of Statutes shall obtain the signatures and certificates of the proper officers to the enrolled copy of the bill or memorial and present it to the Governor for his approval.

A bill or memorial may be prepared for presentation to the Governor on good quality paper approximately 8 1/2" x 13 1/4" in size and may be produced by means of a copying machine. An enrolled bill shall be labeled "An Act" and it shall be identical to the bill passed by the Legislature. An enrolled bill which is amendatory of any existing law or constitutional provi-

sion shall indicate deletions and additions in the manner provided in Rule 2.01 for printed bills.

ARTICLE III: GENERAL PROVISIONS

SUSPENSION OF JOINT RULES

Rule 3.01. Either house may suspend the Joint Rules of the Senate and House by a vote of two-thirds of its members.

ODD YEAR SESSION ADJOURNMENT

Rule 3.02. Adjournment of the regular session in any odd-numbered year to a date certain in the following year shall be equivalent to daily adjournment, except that upon adjournment in any odd-numbered year to a date certain in the following year:

(a) Any bill being considered by a conference committee shall be returned to the house of origin, laid on the table, and the conference committee shall be discharged;

(b) Any bill referred to the Committee on Rules and Administration in the Senate or the Committee on Rules and Legislative Administration in the House pursuant to Joint Rule 2.03 shall be returned to the standing committee to which it was last previously referred; and

(c) Any bill returned by the Governor to the house of origin with his objections following such adjournment shall be laid on the table.

INTERIM COMMITTEE AND COMMISSION REPORTS

Rule 3.03. Except as otherwise provided by law, the report of any interim committee or commission to the Legislature shall be submitted on paper 8 1/2" x 11" in size, *spiral bound, stapled, or punched* on the left edge to fit a standard size three ring binder intended for that size paper. A brief summary of the recommendations of the commission or committee shall appear first and be clearly separated from its findings, discussions, and exhibits. If the report contains legislative recommendations, a copy of any proposed legislation, particularly if extensive in character, shall if possible be attached as an exhibit at the end of the report.

Reports the same back with the recommendation that the resolution be adopted.

Mr. Moe, R. D. moved that the foregoing resolution and the committee report thereon be laid on the table. The motion prevailed.

SECOND READING OF SENATE BILLS

S. F. Nos. 475, 718, 535, 707, 476, 574, 822, 964, 982, 1044, 1086, 627, 874, 991, 760, 857, 990, 939, 523, 763, 808 and 903 were read the second time.

SECOND READING OF HOUSE BILLS

H. F. Nos. 214 and 28 were read the second time.

MOTIONS AND RESOLUTIONS

Mr. Stern moved that the name of Mr. Frank be stricken as co-author to S. F. No. 941. The motion prevailed.

Mr. Stern moved that his name be stricken as chief author, shown as co-author and Ms. Berglin be shown as chief author to S. F. No. 941. The motion prevailed.

Mr. Hughes moved that the name of Mr. Ramstad be added as co-author to S. F. No. 1105. The motion prevailed.

Mr. Waldorf moved that the names of Messrs. Chmielewski; Moe, D.M.; Knoll and Pehler be added as co-authors to S. F. No. 1107. The motion prevailed.

Mr. Sikorski moved that the name of Mr. Stern be added as co-author to S. F. No. 1213. The motion prevailed.

Mr. Hanson moved that S. F. No. 1086 be stricken from General Orders and re-referred to the Committee on Taxes and Tax Laws. The motion prevailed.

Mr. Knoll moved that S. F. No. 939 be stricken from General Orders and re-referred to the Committee on Judiciary. The motion prevailed.

INTRODUCTION AND FIRST READING OF SENATE BILLS

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

Messrs. Lindgren, Stumpf, Rued and Dicklich introduced—

S.F. No. 1232: A bill for an act relating to education; making certain changes to the higher education advisory council; amending Minnesota Statutes 1980, Section 136A.02, Subdivision 6.

Referred to the Committee on Education.

Messrs. Dicklich and Johnson introduced—

S.F. No. 1233: A bill for an act relating to game and fish; authorizing doe permits in designated areas and seasons; amending Minnesota Statutes 1980, Section 98.48, by adding a subdivision.

Referred to the Committee on Agriculture and Natural Resources.

Messrs. Vega, Dicklich and Kroening introduced—

S.F. No. 1234: A bill for an act relating to public employment labor relations; clarifying the definition of "employer"; amending Minnesota Statutes 1980, Section 179.63, Subdivision 4.

Referred to the Committee on Public Employees and Pensions.

Ms. Berglin, Messrs. Pehler and Johnson introduced—

S.F. No. 1235: A bill for an act relating to local government aid; increasing the amount and providing for the distribution of aids to local government;

appropriating money; amending Minnesota Statutes 1980, Sections 16A.15, Subdivision 1, as amended; 477A.01, Subdivisions 2 and 4; and 477A.03; repealing Minnesota Statutes 1980, Section 477A.01, Subdivision 1.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Pehler and Johnson introduced—

S.F. No. 1236: A bill for an act relating to taxation; altering the penalty to be imposed upon assessment districts having large coefficients of dispersion; amending Minnesota Statutes 1980, Section 477A.04, Subdivisions 1, 2, and 3.

Referred to the Committee on Taxes and Tax Laws.

Ms. Berglin and Mr. Johnson introduced—

S.F. No. 1237: A bill for an act relating to taxation; extending the special levy for shade tree disease control by two years; amending Minnesota Statutes 1980, Section 275.50, Subdivision 6.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Dieterich; Dahl; Dicklich; Peterson, D.L. and Hughes introduced—

S.F. No. 1238: A bill for an act relating to education; providing a state aid incentive for class size reductions in kindergarten through twelfth grade; proposing new law coded in Minnesota Statutes, Chapter 124.

Referred to the Committee on Education.

Messrs. Moe, D.M. and Spear introduced—

S.F. No. 1239: A bill for an act relating to the operation of state government; authorizing the state board of investment to employ investment management firms to invest certain funds on its behalf; appropriating money; amending Minnesota Statutes 1980, Section 11A.04.

Referred to the Committee on Public Employees and Pensions.

Mr. Lessard introduced—

S.F. No. 1240: A bill for an act relating to courts; providing that district judges shall elect a chief judge and that county or county municipal judges shall elect a chief judge; amending Minnesota Statutes 1980, Section 484.69, Subdivision 3, and by adding a subdivision; repealing Minnesota Statutes 1980, Section 484.69, Subdivisions 1 and 2.

Referred to the Committee on Judiciary.

Mr. Dicklich introduced—

S.F. No. 1241: A bill for an act relating to Independent School District No. 706; permitting issuance of bonds for the construction, equipment, and furnishing of a physical education building and the levying of taxes for their payment.

Referred to the Committee on Education.

Messrs. Davis and Bertram introduced—

S.F. No. 1242: A bill for an act relating to state government; encouraging energy saving suggestions from employees.

Referred to the Committee on Energy and Housing.

Ms. Berglin introduced—

S.F. No. 1243: A bill for an act relating to handicapped persons; providing that certain social services be available to recipients of attendant care; proposing new law coded in Minnesota Statutes, Chapter 256C.

Referred to the Committee on Health, Welfare and Corrections.

Mr. Johnson introduced—

S.F. No. 1244: A bill for an act relating to taxation; property; altering the taxation of certain lands owned by the United States and leased for a term of three or more years; amending Minnesota Statutes 1980, Section 273.19, Subdivision 1, and by adding a subdivision.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Langseth and Schmitz introduced—

S.F. No. 1245: A bill for an act relating to retirement; recalculation of survivor benefits payable to the surviving spouse of a deceased member of the teachers retirement association.

Referred to the Committee on Public Employees and Pensions.

Messrs. Schmitz and Pillsbury introduced—

S.F. No. 1246: A bill for an act relating to local and metropolitan government; regulating transportation planning and zoning; allowing official maps to show state trunk highway corridors; permitting loans by the metropolitan council for the purpose of purchasing certain highway rights-of-way under certain conditions; authorizing a tax levy in the metropolitan area; amending Minnesota Statutes 1980, Sections 394.22, Subdivision 12; 462.352, Subdivision 10; and 473.167.

Referred to the Committee on Transportation.

Mr. Willet introduced—

S.F. No. 1247: A bill for an act relating to education; permitting districts to purchase insurance coverage for the operation of leased buses in certain circumstances; amending Minnesota Statutes 1980, Section 123.39, Subdivisions 8 and 9 and by adding a subdivision.

Referred to the Committee on Education.

Messrs. Belanger, Pehler, Davis, Benson and Stern introduced—

S.F. No. 1248: A bill for an act relating to local improvements; regulating the issuance of temporary improvement bonds; amending Minnesota Statutes 1980, Section 429.091, Subdivision 3, and by adding subdivisions.

Referred to the Committee on Local Government and Urban Affairs.

Messrs. Keefe, Luther, Ramstad and Knoll introduced—

S.F. No. 1249: A bill for an act relating to courts; providing for continuation of juvenile and family court referees in the second and fourth judicial districts until the positions are vacated; providing for creation of juvenile and family court judgeships in the second and fourth judicial districts; providing for the duties and powers of family court referees in the second and fourth judicial districts; providing for continuation of probate court referee positions in the second and fourth judicial districts; providing for the continuation of certain other referee and judicial officer positions; amending Minnesota Statutes 1980, Sections 260.031, Subdivision 1, and by adding a subdivision; 484.64; 484.70, Subdivisions 1 and 3; 487.08, Subdivisions 2, 3 and 4; 525.10; Laws 1980, Chapter 580, Section 23; repealing Minnesota Statutes 1980, Section 484.65.

Referred to the Committee on Judiciary.

MOTIONS AND RESOLUTIONS - CONTINUED

Mr. Moe, R.D. moved that the Senate do now adjourn until 11:30 a.m., Wednesday, April 8, 1981. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate