

THIRTY-EIGHTH DAY

St. Paul, Minnesota, Wednesday, April 22, 1981

The Senate met at 12:00 Noon and was called to order by the President.

Prayer was offered by the Chaplain, Rev. Craig Hanson.

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

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

The President declared a quorum present.

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

MEMBERS EXCUSED

Messrs. Peterson, D. L. and Sieloff were excused from the Session of today.

EXECUTIVE AND OFFICIAL COMMUNICATIONS

April 17, 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 Acts of the 1981 Session of the State Legislature have been received from the Office of the Governor and are deposited in the Office of the Secretary of State for preservation, pursuant to the State Constitution, Article IV, Section 23:

S.F. No.	H.F. No.	Session Laws Chapter No.	Date Approved	Date Filed
			1981	1981
	214	38	April 16	April 17
	1083	39	April 16	April 17

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. 263 and 718.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned April 20, 1981

Mr. President:

I have the honor to announce that the House has acceded to the request of the Senate for the appointment of a Conference Committee, consisting of three members of the House, on the amendments adopted by the House to the following Senate File:

S. F. No. 121: A bill for an act relating to statutory cities and urban towns; permitting publication of summaries of ordinances prior to enactment; amending Minnesota Statutes 1980, Sections 368.01, Subdivision 21; and 412.191, Subdivision 4.

There has been appointed as such committee on the part of the House:

Clawson, McEachern and Levi.

Senate File No. 121 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned April 20, 1981

Mr. President:

I have the honor to announce that the House has acceded to the request of the Senate for the appointment of a Conference Committee, consisting of three members of the House, on the amendments adopted by the House to the following Senate File:

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.

There has been appointed as such committee on the part of the House:

Reding, Rice and Hoberg.

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

Edward A. Burdick, Chief Clerk, House of Representatives

Returned April 20, 1981

Mr. President:

I have the honor to announce the passage by the House of the following House Files, herewith transmitted: H. F. Nos. 484, 567, 708, 749, 632, 552, 681, 838, 1052, 70, 996 and 1059.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted April 20, 1981

FIRST READING OF HOUSE BILLS

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

H. F. No. 484: A bill for an act relating to commerce; clarifying the definition of "continuing care"; providing for implementation of the continuing care facilities disclosure and rehabilitation act in a self-executing manner; amending Minnesota Statutes 1980, Sections 80D.01; 80D.02, Subdivision 2, and by adding a subdivision; 80D.03, Subdivision 1; 80D.04; 80D.05; 80D.06; 80D.08; 80D.09; 80D.11; 80D.13, Subdivision 1; 80D.14, Subdivisions 1 and 2; 80D.15; 80D.16; and 82.18; repealing Minnesota Statutes 1980, Sections 80D.02, Subdivision 3; 80D.03, Subdivisions 3 and 4; 80D.10; 80D.12; 80D.14, Subdivision 3; 80D.17; and 80D.18.

Referred to the Committee on Rules and Administration for comparison with S. F. No. 398, now on General Orders.

H. F. No. 567: A bill for an act relating to retirement; teachers retirement association and teacher retirement fund associations in cities of the first class; allowing certain types of survivor coverage be provided to a designated beneficiary instead of a surviving spouse; requiring public pension funds to provide information concerning optional annuity forms with retirement application form; requiring the signature of the spouse of a member on the retirement application form in certain instances; amending Minnesota Statutes 1980, Sections 354.46, Subdivisions 1 and 2, and by adding a subdivision; 354.47, Subdivision 1; and 354A.35, by adding a subdivision; and proposing new law coded in Minnesota Statutes, Chapter 356.

Referred to the Committee on Rules and Administration for comparison with S. F. No. 1293.

H. F. No. 708: A bill for an act relating to public improvements; permitting deferral of special assessments in instances of hardship; amending Minnesota Statutes 1980, Section 435.193.

Referred to the Committee on Rules and Administration for comparison with S. F. No. 95, now on the Calendar.

H. F. No. 749: A bill for an act relating to real property; providing a fee for issuing noncertified copies of instruments or parts of instruments on file in the office of the registrar of titles; amending Minnesota Statutes 1980, Section

508.82.

Referred to the Committee on Judiciary.

H. F. No. 632: A bill for an act relating to financial institutions; removing certain restrictions on directorsqualifying shares; amending Minnesota Statutes 1980, Section 48.06.

Referred to the Committee on Commerce.

H. F. No. 552: A bill for an act relating to commerce; prohibiting fraud in the use of recreational camping areas; providing a penalty; amending Minnesota Statutes 1980, Sections 327.07; and 327.14, Subdivision 8.

Referred to the Committee on Judiciary.

H. F. No. 681: A bill for an act relating to retirement; reducing a certain deduction from amounts available to pay post-retirement adjustments; appropriating funds; amending Minnesota Statutes 1980, Section 11A.18, Subdivision 9.

Referred to the Committee on Rules and Administration for comparison with S. F. No. 974, now on General Orders.

H. F. No. 838: A bill for an act relating to transportation; delaying the effective date of the laws establishing and prescribing the powers and duties of the transportation regulation board; amending Laws 1980, Chapter 534, Section 87.

Referred to the Committee on Finance.

H. F. No. 1052: A bill for an act relating to state lands; providing for the conveyance of certain land to the city of Fergus Falls.

Referred to the Committee on Rules and Administration for comparison with S. F. No. 922, now on General Orders.

H. F. No. 70: A bill for an act relating to education; providing for aids to education; aids to libraries, tax levies and the distribution of tax revenues; granting certain powers and duties to school districts, the state board of education and others; replacing AVTI capital expenditure aid with AVTI equipment aid and AVTI repair and betterment aid; requiring a legislative study of curriculum implications of secondary vocational education aid; providing a new aid and levy authorization for certain capital expenditures; changing the preschool screening program from mandatory to optional; limiting participation in teacher mobility programs; decreasing the state's obligations and changing eligibility standards for the maximum effort school aid program; appropriating money; amending Minnesota Statutes 1980, Sections 3.9278, Subdivision 1; 3.9279, Subdivisions 10 and 12; 120.17, Subdivisions 3, 3b, 4, 5a, 6, 7 and by adding a subdivision; 121.904, Subdivision 7; 121.906, Subdivisions 2 and 3; 121.912, Subdivision 1; 122.22, Subdivisions 3, 4, 5, 8, 9, 11, 13, 14, 20 and by adding a subdivision; 123.35, Subdivision 15; 123.36, Subdivision 13; 123.39, Subdivision 1 and by adding a subdivision; 123.702, Subdivision 1; 123.703, Subdivision 3; 123.705; 123.937; 124.01, Subdivisions 2, 3, 4 and by adding a subdivision; 124.11, Subdivisions 1, 2a, 2b, 2c and by adding a subdivision; 124.14, Subdivisions 3, 4 and by adding a subdivision; 124.17, Subdivisions 2, 2c and by adding a subdivision; 124.20; 124.212, Subdivisions 1, 5a, 7d, 8a, 9a and by adding a subdivision; 124.223; 124.225,

Subdivisions 1, 1a, 2, 3, 4a, 5, 6, 7a, 8a, 8b, 9, 11 and by adding a subdivision; 124.245, Subdivisions 1, 2 and by adding a subdivision; 124.247, Subdivisions 3 and 5; 124.26, Subdivisions 3, 4 and by adding subdivisions; 124.271, Subdivision 2; 124.32, Subdivisions 1a, 1b, 6, 9 and by adding a subdivision; 124.38, Subdivision 7; 124.39, Subdivision 5; 124.40, Subdivision 2; 124.41; 124.42, Subdivisions 1 and 2; 124.43, Subdivisions 1, 2, 3, 4 and 5; 124.474; 124.476; 124.561, Subdivisions 2a, 3a and by adding subdivisions; 124.562, by adding a subdivision; 124.5621, Subdivisions 2, 5, 6 and 12; 124.5622, Subdivisions 3, 4 and 5; 124.5623, Subdivisions 3, 4 and 5; 124.5624; 124.565, Subdivisions 3, 4, 6 and 7; 124.566; 124.572, Subdivision 8 and by adding subdivisions; 124.573, Subdivisions 2, 3a, 5 and by adding a subdivision; 124.574, Subdivisions 2 and 4; 124.646, Subdivision 1; 125.60, Subdivisions 2a and 7; 125.611, Subdivisions 1, 3, 5, 8, 9 and 10; 126.54, Subdivision 1; 134.35, Subdivision 1; 134.351, Subdivision 5 and by adding subdivisions; 134.36; 275.125, Subdivisions 2a, 2c, 6b, 6c, 7a, 7b, 8, 11a and by adding subdivisions; 298.28, Subdivision 1; 354.094, Subdivisions 1, 2, 3 and by adding a subdivision; 354.66, Subdivision 9; 354A.091, Subdivisions 1, 2, 3 and by adding a subdivision; 354A.094, Subdivision 9; 375.335, Subdivision 4 and by adding subdivisions; Laws 1967, Chapter 822, Section 1, as amended; proposing new law coded in Minnesota Statutes, Chapters 120; and 124; repealing Minnesota Statutes 1980, Sections 3.9279, Subdivision 13; 120.17, Subdivision 3c; 122.22, Subdivisions 10, 12, 15 and 16; 123.40, Subdivision 5; 124.212, Subdivisions 6c and 7c; 124.225, Subdivisions 4, 7 and 8; 124.271, Subdivision 1a; 124.561, Subdivision 4; 124.562, Subdivisions 3 and 4; 124.571; 126.268, Subdivision 1; 126.52, Subdivision 12; 275.125, Subdivisions 2b and 14.

Referred to the Committee on Education.

H. F. No. 996: A bill for an act relating to retirement; making various administrative changes in the teachers retirement law; authorizing a medical advisor; payment of shortages in member deductions; amending Minnesota Statutes 1980, Sections 354.06, Subdivisions 2 and 2a; 354.091; 354.092; 354.41, by adding a subdivision; 354.44, Subdivisions 4 and 8; 354.48, Subdivisions 2, 4, and by adding a subdivision; 354.51, Subdivision 5; 354.52, Subdivision 4; and 354.62, Subdivisions 4 and 5.

Referred to the Committee on Rules and Administration for comparison with S. F. No. 983, now on General Orders.

H. F. No. 1059: A bill for an act relating to crimes; providing for the type of proof of the fact of killing in murder and manslaughter cases; amending Minnesota Statutes 1980, Section 634.051.

Referred to the Committee on Rules and Administration for comparison with S. F. No. 985, now on General Orders.

REPORTS OF COMMITTEES

Mr. Moe, R.D. moved that the Committee Reports at the Desk be now adopted. The motion prevailed.

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

H. F. No. 591: A bill for an act relating to the city of St. Paul; repealing the

people mover act; repealing Minnesota Statutes 1980, Chapter 458B.

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

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

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.

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

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

S. F. No. 950: A bill for an act relating to the city of Isanti; authorizing the city to issue general obligation bonds for the acquisition and betterment of a municipal building.

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

Mr. Willet from the Committee on Finance, to which was referred

H. F. No. 1304: A bill for an act relating to state government; providing for deficiencies in and supplementing appropriations for the expenses of state government; appropriating money.

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

Page 1, line 15, delete "\$57,625,300" and insert "\$58,013,500"

Page 1, line 16, delete "828,600" and insert "450,700"

Page 1, after line 16, insert:

"Highway User 1,727,200"

Page 1, line 17, delete "\$58,453,900" and insert "\$60,191,400"

Page 2, line 2, before "Unemployment" insert "Subdivision 1."

Page 2, after line 10, insert:

"Subd. 2. Gas Tax	
Reimbursement - 1977-79	10,300

To the commissioner of finance for transfer to the highway user tax distribution fund to correct an overestimate in the cost of collecting the tax on gasoline and gasoline substitutes during the 1977-79 biennium.

Subd. 3. Gas Tax	
Reimbursement - 1979-81	1,727,200

This appropriation is from the highway user tax distribution fund to the general fund to reimburse the general fund for the cost of collecting

the tax on gasoline and gasoline substitutes and the cost of bond premiums during the 1979-81 biennium."

Page 2, line 19, delete "\$158,800" and insert "\$104,900"

Page 2, line 22, delete "\$669,800" and insert "\$345,800"

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. 1277: A bill for an act relating to mobile homes; regulating lot rentals; specifying conditions on which a lessor may recover possession of land upon which a mobile home is located; amending Minnesota Statutes 1980, Section 327.44.

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

Page 2, line 12, strike "or"

Page 2, reinstate line 13

Page 2, line 14, reinstate "lessor seeks to recover possession"

Page 2, line 15, reinstate the semicolon

Page 2, line 15, before the semicolon, insert "*as provided in section 2*"

Page 2, line 15, after the semicolon, insert "or"

Page 2, line 16, reinstate the stricken language and delete the new language

Page 2, after line 22, insert:

"Sec. 2. [327.441] [RECOVERY OF POSSESSION.]

Subdivision 1. [NOTICE.] To recover possession of a mobile home lot as allowed in section 327.44, clause (f), a lessor must give the tenant written notice at least 60 days before the expiration of the lease. The notice shall state the date that the lease will expire and explain the tenant's rights as provided in this section to sell the home within the park. If the park gives the tenant the notice required by this section, the tenant must stop residing on the lot when the lease expires. If the tenant continues to reside on the lot after the expiration of the lease, the lessor may bring an action for possession.

Subd. 2. [SALE AFTER NOTICE.] After receiving the notice required by subdivision 1, the tenant may sell his mobile home within the park until the lease expires; provided, that the lessor may reserve the right to approve any buyer as a tenant. Approval shall not be unreasonably withheld.

Subd. 3. [EXPIRATION OF LEASE PRIOR TO SALE.] If the lease expires and the tenant has not sold his home, the tenant may keep the home installed on the lot for an additional 60 days solely for the purpose of selling the home within the park if: (a) at least 30 days prior to the expiration of the lease the tenant gives the lessor written notice that the home will remain in the park for the purpose of sale; (b) the tenant does not reside in the home or on the lot; (c) the tenant obeys all reasonable park rules and regulations relating to lot and home maintenance; and (d) the tenant pays rent and any applicable utility

charges on time. The lessor may reserve the right to approve any buyer as a tenant. Approval shall not be unreasonably withheld. If the tenant fails to perform as required by this subdivision, the park may immediately bring an action for possession. If 61 days after the expiration of the lease the home has been neither removed from the lot nor sold to a buyer whom the lessor has approved as a tenant, the lessor may bring an action for possession.

Sec. 3. Minnesota Statutes 1980, Section 327.553, Subdivision 1, is amended to read:

Subdivision 1. [DISCLOSURE REQUIRED.] Prior to the consummation of the sale of any mobile home other than a new mobile home, each dealer shall disclose to all parties to the transaction all charges, payments, commissions and other fees paid or payable in connection with the transaction. *The dealer shall also disclose to all parties the age of the mobile home and the policy, if any, of the mobile home park where the mobile home is located, with regard to the sale of a mobile home within the park after a mobile home is more than 15 years old.* This subdivision shall not require any dealer to disclose any consideration received for having acted as an insurance agent, as defined in section 60A.02, subdivision 7, in connection with the transaction, nor shall this subdivision require any dealer to disclose any consideration received in return for the dealer having agreed to any contingent liability in connection with the financing of the sale."

Page 2, line 23, delete "2" and insert "4"

Page 2, line 24, delete *"the day following its final enactment"* and insert *"August 1, 1981, and shall apply to all leases commenced, renewed, or extended on or after that date. It shall also apply to all leases of a term of one year or more commenced, renewed, or entered into prior to August 1, 1981, which are still in effect on that date"*

Amend the title as follows:

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

Page 1, line 6, before the period, insert "and 327.553, Subdivision 1; proposing new law coded in Minnesota Statutes, Chapter 327"

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

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

S. F. No. 831: A bill for an act relating to commerce; regulating consumer credit and related finance charges, insurance, loans and other conditions of credit; enacting the uniform consumer credit code; providing penalties; amending Minnesota Statutes 1980, Sections 53.01; 53.04, Subdivisions 1 and 3; 53.051; 61B.03, Subdivisions 7 and 8; and 62E.02, Subdivision 11; proposing new law coded in Minnesota Statutes, Chapter 337; repealing Minnesota Statutes 1980, Sections 48.153; 48.154; 48.155; 48.156; 48.157; 48.185; 48.195; 48.196; 52.14; 53.04, Subdivisions 4, 6, and 7; 168.66; 168.67; 168.68; 168.69; 168.70; 168.705; 168.706; 168.71; 168.72; 168.73; 168.74; 168.75; 168.76; 168.77; 325G.15; 325G.16; 325G.21; 325G.22; 334.01; 334.011; 334.012; 334.02; 334.021; 334.03; 334.04; 334.05; 334.06; 334.061; 334.16; 334.17; 334.18; and 334.19; and Chapter 56.

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

follows:

Page 4, after line 35, insert:

“(c) the rate of finance charge permitted by section 337.2-401, subsection (2), paragraph (b), shall, as of January 1, 1982, and for one year thereafter, not be less than 21.75 percent.”

“(d) the rates of finance charge permitted by sections 337.2-201, subsection (2), paragraph (b), and 337.2-401, subsection (2), paragraph (b), shall not be less than 16 percent.”

“(e) the rate of finance charge permitted by section 337.2-202, subsection (3), shall not be less than one and one-third percent.”

Page 16, line 16, after “loss” insert “, except a premium for insurance coverage governed by section 337.2-501, subsection (2)”

Page 20, line 16, after the period, insert *“The term also includes a contract in the form of a terminable bailment or lease of goods if: (a) the bailee or the lessee has the option to renew the contract by making the payments specified in the contract; (b) the contract obligates the bailor or the lessor to transfer ownership of the property to the bailee or lessee for no other or a nominal consideration upon full compliance by the bailee or lessee with his obligations under the contract including any obligation incurred by reason of the exercise of an option by the bailee or lessee to renew the contract; and (c) the payments contracted for by the bailee or lessee, including those payments pursuant to the exercise of an option by the bailee or lessee to renew the contract, are substantially equivalent to or in excess of the aggregate value of the property and services involved. All contracts or obligations in the form of terminable bailments or leases of goods relating to consumer credit sales shall specify whether the goods which are the subject of the sale are new or used.”*

Page 24, line 34, after “amounts” insert “and rates of finance charge”

Page 26, line 19, after “amounts” insert “and rates of finance charge”

Page 27, line 2, after the period, insert *“The applicant, at the time of filing the application, shall pay to the administrator an initial application fee of \$150 and an investigation fee of \$250.”*

Page 31, lines 10, 11, and 14, delete “\$1,000” and insert “\$3,000”

Page 34, line 19, after “amounts” insert “and rates of finance charge”

Page 43, delete lines 5 to 22 and insert:

“(1) With respect to a consumer credit transaction, no term of a writing may provide for the payment by the consumer of attorney's fees.”

“(2) A provision in violation of this section is subject to the provisions of section 337.5-201.”

Page 44, delete lines 24 to 36 and insert:

“(3) In the event of prepayment, the creditor shall recompute or redetermine the earned finance charge by applying, according to the actuarial method, the percentage rate of finance charge required to be disclosed to the consumer pursuant to law to the actual unpaid balances of the amount financed for the actual time that the unpaid balances were outstanding as of the date of pre-

payment, giving effect to each payment, including payments of any deferral and delinquency charges, as of the date of the payment. The administrator shall adopt rules to simplify the calculation of the unearned portion of the finance charge, including allowance of the use of tables or other methods derived by application of a percentage rate which deviates by not more than one-quarter of one percent from the rate of the finance charge required to be disclosed to the consumer pursuant to law, based on the assumption that all payments were made as originally scheduled or as deferred."

Page 45, delete lines 1 to 34

Renumber the subsections in sequence

Page 45, line 35, delete "(5)" and insert "(3)"

Page 47, line 28, before "The" insert "(1) Except for a consumer credit sale in which the seller receives a purchase order or offer by mail or telephone, or through electronic media without personal solicitation,"

Page 48, after line 13, insert:

"(2) With respect to a consumer credit sale, if the seller receives a purchase order or offer by mail or telephone or through electronic media without personal solicitation the disclosure provided for in subsection (1) shall not apply and the seller complies with this part if:

(a) he makes the disclosures at the time and in the manner provided in the general disclosure requirements and provisions (subsection (1) of section 337.3-201), or

(b) the seller's catalog or other printed material distributed to the public sets forth the cash price, the method of determining the deferred payment price, and the terms of financing, including the annual percentage rate and before the first payment is due on the sale, he gives the information required by this part including the notice prescribed in subsection (3).

(3) The notice shall be in writing and conspicuous and shall provide that if the buyer does not wish to make the purchase on credit, he may, within 30 days after receiving the notice, prepay the obligation as to that purchase for an amount stated or identified in the notice and avoid the payment of any credit service charge as to that purchase. A prepayment under this section is subject to the provisions of sections 1 to 126 on prepayment, except that no credit service charge shall be made if prepayment in full is made within the period specified in the notice. Payment by mail is effective when posted."

Page 49, line 18, after the period, insert "However, a periodic statement or other receipt is not required to be sent to a consumer who has a debit or credit balance of \$1 or less at the end of a billing cycle."

Page 52, lines 11 and 23, delete "\$1,000" and insert "\$3,000"

Page 61, after line 27, insert:

"(3) Notwithstanding any other provision of this article, a creditor may offer credit life or property insurance for a credit transaction entered into by mail or telephone, or through electronic media without personal solicitation provided:

(a) The insurance is not required by the creditor, and this fact is disclosed to

the consumer;

(b) The premium for the initial term of insurance coverage or the unit cost of the premium for the term period and, if the term of insurance will expire before the term of the transaction, the expiration date of the insurance, is disclosed to the consumer; and

(c) The consumer signs or initials an affirmative written statement requesting the insurance after receiving the disclosures specified in this subsection;"

Page 62, line 24, before "If" insert "(1) Except as provided in subsection (2)."

Page 62, after line 29, insert:

"(2) A creditor who provides consumer credit insurance in relation to open-end credit may calculate the charge to the consumer in each billing cycle by applying the current premium rate to the balance in the manner permitted with respect to finance charges by the provisions on finance charge for consumer credit sales pursuant to open-end credit (section 337.2-202)."

Page 65, line 6, after "rules" insert ", including temporary rules,"

Page 66, line 12, after "credit" insert "if the amount advanced is \$500 or less"

Page 66, line 13, delete "\$1,000" and insert "\$500"

Page 66, line 29, after "transaction" insert "unless each obligator is earning income but for the consideration of which credit would not have been granted"

Page 66, line 30, after "(2)" insert "If consumer credit insurance is provided in connection with an open-end credit account, the amounts payable as insurance benefits may be reasonably commensurate with the amount of debt as it exists from time to time."

Page 68, line 4, after "percent" insert "or more"

Page 68, line 17, after "transaction" insert "on property not otherwise covered by a policy of insurance upon which the borrower is entitled to benefits"

Page 72, delete lines 23 to 36

Page 73, delete lines 1 to 18

Page 81, line 24, before the period, insert ", provided, however, that this section does not apply to a purchase money security interest nor to any goods as to which a claim of exemption has been waived under the provisions of section 550.37, subdivision 19"

Page 84, line 11, after "of" insert "twice his"

Page 84, line 13, delete "Damages recoverable"

Page 84, delete line 14

Page 97, line 7, delete "\$10" and insert "\$25"

Page 97, line 14, after "the" insert "first \$10,000,000 of the average unpaid balances and \$1 for each \$100,000 or part thereof exceeding

\$10,000,000 of the"

Page 97, line 20, after "*notification*" insert "*, and excluding balances of accounts which have been paid o full and in which no finance charge is incurred*"

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. 1293: A bill for an act relating to retirement; teachers retirement association and teacher retirement fund associations in cities of the first class; allowing certain types of survivor coverage be provided to a designated beneficiary instead of a surviving spouse requiring public pension funds to provide information concerning optional annuity forms with retirement application form; requiring the signature of the spouse of a member on the retirement application form in certain instances; amending Minnesota Statutes 1980, Sections 354.46, Subdivisions 1 and 2; 354.47, Subdivision 1; and 354A.35, Subdivisions 1 and 2; and proposing new law coded in Minnesota Statutes, Chapter 356.

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

Page 3, line 7, reinstate the stricken language

Page 3, line 8, delete the new language

Page 3, line 13, delete "*member contributions*" and insert "*deductions*"

Page 4, line 4, delete "*while in active service*" and delete "*and*" and insert "*which*"

Page 4, line 5, delete "*designate a beneficiary to whom the benefit*" and after "*payable*" insert "*to the surviving spouse*"

Page 4, line 6, delete "*member*" and insert "*person*"

Page 4, line 7, delete everything after the first "*the*"

Page 4, line 8, after "*spouse,*" insert "*if the surviving spouse*"

Page 4, line 9, after "*subdivision 1*" insert "*, if applicable,*"

Page 4, line 12, delete "*the designated beneficiary*" and insert "*whichever is applicable,*"

Page 4, line 21, delete "*if the designated*" and insert a period

Page 4, delete lines 22 to 25 and insert:

"Sec. 3. Minnesota Statutes 1980, Section 354.46, is amended by adding a subdivision to read:

Subd. 5. [PAYMENT TO DESIGNATED BENEFICIARY.] Any member and the spouse of the member may make a joint specification in writing on a form prescribed by the executive director that the benefits provided in subdivision 2, or in section 354.47, subdivision 1, shall be paid only to a designated beneficiary. For purposes of this subdivision, a designated beneficiary may

only be either a former spouse or a child, either natural or adopted, of the member."

Page 4, line 35, strike "beneficiary" and delete "designated by the member" and insert "surviving spouse"

Page 5, line 9, strike "beneficiary" and delete "designated by the" and insert "surviving spouse"

Page 5, line 10, delete "member"

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

"Sec. 5. Minnesota Statutes 1980, Section 354A.35, is amended by adding a subdivision to read:

Subd. 5. [PAYMENT TO DESIGNATED BENEFICIARY.] Any coordinated member and the spouse of the coordinated member may make a joint specification in writing on a form prescribed by the executive secretary that the benefits provided in section 354A.35, subdivisions 1 or 2, shall be paid only to a designated beneficiary. For purposes of this subdivision, a designated beneficiary may only be either a former spouse or a child, either natural or adopted, of the member."

Page 7, line 19, delete "SIGNATURE OF" and insert "NOTICE TO"

Page 7, line 22, delete "no election of"

Page 7, delete lines 23 to 28 and insert "the public pension fund shall send a copy of the written statement required by subdivision 2 to the spouse of the member prior to the member's election of an optional annuity."

Following the election of an annuity form by the member, a copy of the completed annuity application shall be sent by certified mail to the spouse of the retiring member."

Page 7, line 33, after "act" insert "and the spouse of the person"

Page 7, line 33, delete "designating a" and insert "making a joint specification in writing on a form prescribed by the executive director or executive secretary, whichever is applicable, that the benefits provided in sections 354.46, subdivision 2, 354.47, subdivision 1, or 354A.35, subdivisions 1 or 2, whichever is applicable, shall be paid only to a designated beneficiary."

Page 7, delete lines 34 to 36

Page 8, delete lines 1 and 2

Page 8, line 3, delete "class, whichever is applicable."

ReNUMBER the sections in sequence

Amend the title as follows:

Page 1, line 6, after "spouse" insert a semicolon

Page 1, line 12, after "2" insert ", and by adding a subdivision"

Page 1, line 13, delete "Subdivisions 1 and 2" and insert "by adding a subdivision"

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. 807: A bill for an act relating to peace officers; creating the Minnesota law enforcement training account; appropriating money; proposing new law coded in Minnesota Statutes, Chapter 626.

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

Delete everything after the enacting clause and insert:

"Section 1. [626.86] [MINNESOTA LAW ENFORCEMENT TRAINING ACCOUNT.]

Subdivision 1. [CREATION OF ACCOUNT.] The Minnesota law enforcement training account is created as a separate account in the general fund of the state treasury.

Subd. 2. [PURPOSES.] All penalty assessments collected pursuant to section 3 for violations of Minnesota Statutes, Chapters 168 to 173, or an equivalent local traffic ordinance and forwarded to the state treasurer shall be deposited in the Minnesota law enforcement training account. All money in the state treasury credited to the Minnesota law enforcement training account is annually appropriated to the Minnesota board of peace officer standards and training for the purpose of providing law enforcement financial assistance to local units of government. Financial assistance shall be available for board approved skill courses and in-service training under Minnesota Statutes, Chapters 214 and 626.

Subd. 3. [DISBURSEMENTS.] Disbursements from the account shall be made by the state treasurer upon order of the commissioner of finance at the times and in the amounts determined by the board of peace officer standards and training.

Subd. 4. [ALLOCATION OF DISBURSEMENTS.] Disbursements of funds pursuant to subdivision 3 shall be made according to the following method for the purposes of subdivision 2:

(a) Ten percent shall be provided for reimbursement to board approved skills courses in proportion to the number of students successfully completing the board's skills licensing examination.

(b) To each local unit of government an amount in proportion to the number of licensed peace officers and constables employed, at a rate to be determined by the board. The disbursed amount shall be used exclusively for reimbursement of the cost of in-service training required under chapters 214 and 626.

Sec. 2. [626.861] [CRIME VICTIMS ASSISTANCE ACCOUNT.]

Subdivision 1. [CREATION OF ACCOUNT.] The crime victims assistance account is created as a separate account in the general fund of the state treasury.

Subd. 2. [APPROPRIATION; PURPOSE.] All penalty assessments collected pursuant to section 3 for petty misdemeanors or for violations of the criminal laws of this state, except for penalty assessments imposed for viola-

tions of Minnesota Statutes, Chapters 168 to 173, or equivalent local traffic ordinances and forwarded to the state treasurer, shall be deposited in the crime victims assistance account. All money in the state treasury credited to the crime victims assistance account is annually appropriated to the crime victims reparations board for the purposes authorized by sections 299B.01 to 299B.17.

Subd. 3. [DISBURSEMENTS.] Disbursements from the crime victims assistance account shall be made by the state treasurer upon order of the commissioner of finance at the times and in the amounts determined by the crime victims reparations board.

Sec. 3. [626.862] [LEVY AND COLLECTION OF PENALTY ASSESSMENTS.]

Subdivision 1. [LEVY OF ASSESSMENT.] On and after the effective date of sections 1, 2, and 3, there is levied a penalty assessment of ten percent on each fine imposed and collected by the courts of this state for petty misdemeanors or for criminal or traffic offenses, other than a fine or forfeiture for a violation of a local ordinance or other law relating to the parking of a vehicle. In cases where the defendant is convicted but a fine is not imposed, or execution of the fine is stayed, the court shall impose a penalty assessment of not less than \$5 nor more than \$10 when the conviction is for a misdemeanor or petty misdemeanor, and shall impose a penalty assessment of not less than \$10 but not more than \$50 when the conviction is for a gross misdemeanor or felony. Where multiple offenses are involved, the penalty assessment shall be assessed separately on each offense for which the defendant is sentenced. If imposition or execution of sentence is stayed for all of the multiple offenses, the penalty assessment shall be based upon the most serious offense of which the defendant was convicted. Where the court suspends a portion of a fine, the suspended portion shall not be counted in determining the amount of the penalty assessment unless the offender is ordered to pay the suspended portion of the fine. Suspension of an entire fine shall be treated as a stay of execution for purposes of computing the amount of the penalty assessment.

Subd. 2. [PAYMENT GUIDELINES.] The sentencing court may, upon a showing of indigency or undue hardship upon the convicted person or his immediate family, authorize payment of the penalty assessment in installments. If the convicted person is sentenced and committed to imprisonment, the chief executive officer of the institution in which the person is confined may collect the assessment from any earnings the inmate shall accrue for work performed in the institution or while on conditional release therefrom under the provisions of Minnesota Statutes, Sections 241.26 or 631.425 and forward same to the clerk of the court in which he was sentenced, for transmittal to the state treasurer in the manner provided in section 3, subdivision 3.

The court may decline to impose a penalty assessment or may forgive payment of a penalty assessment previously imposed, in cases where undue hardship cannot otherwise be avoided.

Subd. 3. [COLLECTION BY COURT.] After a determination by the court of the amount of the fine or penalty assessment due, the clerk of court shall collect the appropriate penalty assessment and transmit it to the county treasurer separately but with the same frequency as fines are transmitted. Amounts collected under this subdivision shall then be transmitted to the state treasurer for deposit in the Minnesota law enforcement training account or in the victim

assistance account, whichever account is designated by the transmitting court, in the same manner as fines collected for the state by a county.

Sec. 4. Minnesota Statutes 1980, Section 171.16, Subdivision 3, is amended to read:

Subd. 3. [SUSPENSION FOR FAILURE TO PAY FINE.] When any court reports to the commissioner that a person: (1) has been convicted of violating a law of this state or an ordinance of a political subdivision which regulates the operation or parking of motor vehicles, (2) has been sentenced to the payment of a fine ~~only~~ *or had a penalty assessment levied against him or her, or sentenced to a fine upon which a penalty assessment was levied*, and (3) has refused or failed to comply with that sentence *or to pay the penalty assessment*, notwithstanding the fact that the court has determined that the person has the ability to pay the fine *or penalty assessment*, the commissioner shall suspend the driver's license of such person for 30 days for a refusal or failure to pay or until notified by the court that the fine *or penalty assessment, or both if a fine and penalty assessment were not paid*, has been paid.

Sec. 5. Minnesota Statutes 1980, Section 299B.06, is amended to read:

299B.06 [POWERS AND DUTIES OF THE BOARD.]

Subdivision 1. [DUTIES.] In addition to carrying out any duties specified elsewhere in sections 299B.01 to 299B.16 or in other law, the board shall:

(a) provide all claimants with an opportunity for hearing pursuant to chapter 15;

(b) establish and maintain a principal office and other necessary offices and appoint employees and agents as necessary and fix their duties;

(c) promulgate within 90 days following the effective date of Laws 1974, Chapter 463 rules to implement sections 299B.01 to 299B.16, including rules governing the method of practice and procedure before the board, prescribing the manner in which applications for reparations shall be made, and providing for discovery proceedings;

(d) publicize widely the availability of reparations and the method of making claims; ~~and~~

(e) prepare and transmit annually to the governor and the legislature a report of its activities including the name of each claimant, a brief description of the facts in each case, the amount of reparation awarded, and a statistical summary of claims and awards made and denied; *and*

(f) prepare and transmit annually to the governor and the legislature a report of its activities with respect to allocation of moneys appropriated to it from the crime victims assistance account, including the name and address of each recipient of money from that account, the amount awarded, and the purpose of the award.

Subd. 2. [POWERS.] In addition to exercising any powers specified elsewhere in sections 299B.01 to 299B.16 or other law, the board upon its own motion or the motion of a claimant or the attorney general may:

(a) issue subpoenas for the appearance of witnesses and the production of books, records, and other documents;

(b) administer oaths and affirmations and cause to be taken affidavits and depositions within and without this state;

(c) take notice of judicially cognizable facts and general, technical, and scientific facts within their specialized knowledge;

(d) order a mental or physical examination of a victim or an autopsy of a deceased victim provided that notice is given to the person to be examined and that the claimant and the attorney general receive copies of any resulting report;

(e) suspend or postpone the proceedings on a claim if a criminal prosecution arising out of the incident which is the basis of the claim has been commenced or is imminent;

(f) request from prosecuting attorneys and law enforcement officers investigations and data to enable the board to perform its duties under sections 299B.01 to 299B.16;

(g) grant emergency reparations pending the final determination of a claim if it is one with respect to which an award will probably be made and undue hardship will result to the claimant if immediate payment is not made; and

(h) reconsider any decision granting or denying reparations or determining their amount; and

(i) *make, receive, manage, control, and disburse all moneys in the crime victims assistance account established in section 2.*

Sec. 6. Minnesota Statutes 1980, Section 588.01, Subdivision 3, is amended to read:

Subd. 3. [CONSTRUCTIVE.] Constructive contempts are those not committed in the immediate presence of the court, and of which it has no personal knowledge, and may arise from any of the following acts or omissions:

(1) Misbehavior in office, or other wilful neglect or violation of duty, by an attorney, clerk, sheriff, coroner, or other person appointed or elected to perform a judicial or ministerial service;

(2) Deceit or abuse of the process or proceedings of the court by a party to an action or special proceeding;

(3) Disobedience of any lawful judgment, order, or process of the court;

(4) Assuming to be an attorney or other officer of the court, and acting as such without authority;

(5) Rescuing any person or property in the custody of an officer by virtue of an order or process of such court;

(6) Unlawfully detaining a witness or party to an action while going to, remaining at, or returning from the court where the action is to be tried;

(7) Any other unlawful interference with the process or proceedings of a court;

(8) Disobedience of a subpoena duly served, or refusing to be sworn or to answer as a witness;

(9) When summoned as a juror in a court, neglecting to attend or serve as such, improperly conversing with a party to an action to be tried at such court

or with any person relative to the merits of such action, or receiving a communication from a party or other person in reference thereto, and failing to immediately disclose the same to the court;

(10) Disobedience, by an inferior tribunal, magistrate, or officer, of the lawful judgment, order, or process of a superior court, proceeding in an action or special proceeding in any court contrary to law after the same has been removed from its jurisdiction, or disobedience of any lawful order or process of a judicial officer;

(11) Failure or refusal to pay a penalty assessment levied pursuant to section 3.

Sec. 7. [EFFECTIVE DATE.]

Sections 1 to 6 are effective January 1, 1982. Section 1 applies to all violations of Minnesota Statutes, Chapters 168 to 173, or equivalent local traffic ordinances except parking violations committed on or after that date; section 2 applies to all non-traffic petty misdemeanors and criminal offenses committed on or after that date; and section 3 applies to all petty misdemeanors, criminal offenses, and violations of Minnesota Statutes, Chapters 168 to 173, or equivalent local traffic ordinances except parking violations committed on or after that date."

Amend the title as follows:

Page 1, delete lines 2 to 5 and insert:

"relating to penalties for crimes; creating the Minnesota law enforcement training account and the crime victim assistance account; appropriating money; amending Minnesota Statutes 1980, Sections 171.16, Subdivision 3; 299B.06; 588.01, Subdivision 3; proposing new law coded in Minnesota Statutes, Chapter 626."

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

Mr. Johnson from the Committee on Taxes and Tax Laws, to which was re-referred

S. F. No. 167: A bill for an act relating to the city of Moorhead; increasing the amount which the city may expend for public transportation services; amending Laws 1969, Chapter 192, Section 1.

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

Page 1, line 17, strike "obligation" and insert "expenditure"

Page 1, line 18, strike "under" and delete "the" and strike "contract" and insert "for those purposes"

Page 1, lines 20 to 22, delete the new language

Page 1, line 23, delete "273.1103."

Page 1, line 25, delete the second "or"

Page 2, line 1, delete "charter"

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

adopted.

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

S. F. No. 1305: A bill for an act relating to the city of Duluth; providing tax and bond financing for the transit authority; amending Laws 1969, Chapter 720, Section 11, Subdivision 1, as amended; and Section 13.

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

Page 1, line 24, after the period, insert "*The increase of the levy from 1.5 to 3 mills shall be effective only with the approval of a majority of the voters in the city voting on the question of its approval at a special or regular election.*"

Page 2, line 22, after "system" insert "; provided that this use of the bonding authority shall be subject to the referendum provisions of the home rule charter of the city of Duluth"

Page 2, line 25, after "\$1,800,000" insert "of which no more than \$400,000 may be used for the purpose set forth in subdivision 1, clause (e)"

Page 2, line 32, after the period, insert "*The increase in the maximum amount of bonded debt from \$1,400,000 to \$1,800,000 shall be subject to the referendum provisions of the home rule charter of the city of Duluth.*"

Page 3, delete lines 4 to 6 and insert "*Subject to the referendum provisions of each section, each shall take effect the*"

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

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

S. F. No. 1139: A bill for an act relating to taxation; income; property tax refund; adopting federal income tax limitations on the deduction of interest; authorizing the commissioner to provide a short form income tax return; clarifying the computation of the low income alternative tax; providing for the computation of net operating loss; allowing for disclosures of information between the department of economic security and the commissioner of revenue regarding unemployment compensation; allowing for disclosures of information between the commissioner of revenue and the commissioner of public welfare; allowing the commissioner to obtain information required on returns by court action; allowing the commissioner to designate the places returns may be filed; conforming information return requirements to the federal requirements; requiring certain statements to be furnished to subjects of information returns; providing that payment of taxes of a decedent shall be made by successors in the absence of a personal representative; providing an action to enjoin certain tax return preparers from engaging in certain conduct or from preparing returns; adopting the federal requirements for withholding and reporting on tips; clarifying the liability of employers in regard to withholding tax returns; conforming information requirements of withholding statements to federal law; allowing notification of an employer by the department that a withholding certificate is invalid; providing for verification of withholding exemptions and appeal by the claimant; allowing certain spouses to file a joint

property tax return claim; altering definitions of dependent for property tax return purposes; providing for payment of property tax refund claims in case of death; conforming estimated tax requirements with federal law; altering the computation of the corporate estimated tax; conforming tax exempt provisions with federal law; altering filing requirements for corporations; allowing the commissioner to adjust the computation of federal adjusted gross income in certain circumstances; specifying or increasing interest rates on certain delinquent taxes and penalties; abolishing an election relating to the lump sum distribution tax; providing penalties; amending Minnesota Statutes 1980, Sections 10A.31, Subdivision 1; 268.12, Subdivision 12; 290.05; 290.06, Subdivision 3d; 290.067, Subdivision 2; 290.09, Subdivision 3; 290.095, Subdivisions 1, 9, and by adding a subdivision; 290.37, Subdivision 1; 290.39, Subdivision 1, and by adding a subdivision; 290.41, Subdivision 2, and by adding subdivisions; 290.42; 290.43; 290.44; 290.46; 290.53, Subdivisions 3 and 3a; 290.61; 290.92, Subdivisions 1, 2a, 7, 15, and by adding subdivisions; 290.93, Subdivisions 1, 3 and 10; 290.931, Subdivision 1; 290.934, Subdivisions 4 and 5; 290A.03, Subdivision 7; 290A.07, Subdivision 4; 290A.08; 290A.11, Subdivisions 2 and 4; 290A.18; 290A.22; proposing new law coded in Minnesota Statutes, Chapters 290 and 290A; repealing Minnesota Statutes 1980, Section 290.032, Subdivision 4.

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

Page 2, after line 33, insert:

"Sec. 2. Minnesota Statutes 1980, Section 15.1691, Subdivision 2, is amended to read:

Subd. 2. [GENERAL.] Unless the data is summary data or a statute specifically provides a different classification, data on individuals collected, maintained, used or disseminated by the welfare system is private data on individuals, and shall not be disclosed except:

- (a) Pursuant to section 15.163;
- (b) Pursuant to a valid court order;
- (c) Pursuant to a statute specifically authorizing access to the private data;
- (d) To an agent of the welfare system, including appropriate law enforcement personnel, who are acting in the investigation, prosecution, criminal or civil proceeding relating to the administration of a program;
- (e) To personnel of the welfare system who require the data to determine eligibility, amount of assistance, and the need to provide services of additional programs to the individual;
- (f) To administer federal funds or programs; ~~or~~
- (g) Between personnel of the welfare system working in the same program;
or
- (h) *Information on the amounts of cash public assistance and relief paid to welfare recipients in this state, which is requested by the department of revenue to administer the property tax refund law, supplemental housing allowance, and the low income alternative tax."*

Page 8, line 31, delete "515" and insert "514"

Page 9, line 2, after "tax" insert "shall be" and delete "organizations under clause (a) of" and insert "the organization's unrelated business taxable income (as defined in section 512 of the Internal Revenue Code) or on the taxable income of political organizations or homeowner associations. The tax shall be at the corporate rates unless the organization is an estate or a trust, in which case the tax shall be at the rates provided for individuals, estates and trusts. The tax shall only be imposed on income and deductions assignable to this state under sections 290.17 to 290.20. Except for section 290.09, subdivision 29, to the extent deducted in computing federal taxable income, the deductions contained in sections 290.09 and 290.21 shall not be allowed in computing Minnesota taxable net income."

Page 9, delete lines 3 to 6

Page 10, line 1, delete "515" and insert "514"

Page 12, line 22, strike "section" and insert "sections 290.01, subdivision 20, or"

Page 13, line 1, after "1980" insert "shall not be allowed as a deduction"

Page 14, line 2, delete "(a)" and insert "(A)"

Page 14, line 23, delete "estates, and trusts"

Page 14, line 26, after the period, insert "For estates and trusts the amount of a net operating loss that may be carried back or carried over shall be the same dollar amount allowable in the determination of federal taxable income."

Page 15, line 19, after "income" insert "(or federal taxable income for trusts and estates)"

Page 16, line 23, delete "would be" and insert "is"

Page 17, after line 8, insert:

"Sec. 11. Minnesota Statutes 1980, Section 290.14, is amended to read:

290.14 [GAIN OR LOSS ON DISPOSITION OF PROPERTY, BASIS.]

The basis for determining the gain or loss from the sale or other disposition of property acquired on or after January 1, 1933, shall be the cost to the taxpayer of such property, with the following exceptions:

(1) If the property should have been included in the last inventory, it shall be the last inventory value thereof;

(2) If the property was acquired by gift, it shall be the same as it would be if it were being sold or otherwise disposed of by the last preceding owner not acquiring it by gift; if the facts required for this determination cannot be ascertained, it shall be the fair market value as of the date, or approximate date, of acquisition by the last preceding owner, as nearly as the requisite facts can be ascertained by the commissioner;

(3) If the property was acquired by gift through an inter vivos transfer in trust, it shall be the same as it would be if it were being sold or otherwise disposed of by the grantor;

(4) Except as otherwise provided in this clause, the basis of property in the

hands of a person acquiring the property from a decedent or to whom the property passed from a decedent shall, if not sold, exchanged or otherwise disposed of before the decedent's death by the person, be the fair market value of the property at the date of decedent's death or, in the case of an election under section 2032 (relating to alternate valuation) of the Internal Revenue Code of 1954, as amended through December 31, 1980, its valuation at the applicable valuation date prescribed by that section; or in the case of an election under section 2032A (relating to valuation of farm real property) of the Internal Revenue Code of 1954, as amended through December 31, 1980, its value determined by that section.

For the purposes of the preceding paragraph, the following property shall be considered to have been acquired from or to have passed from the decedent:

(a) Property acquired by bequest, devise, or inheritance, or by the decedent's estate from the decedent;

(b) Property transferred by the decedent during his lifetime in trust to pay the income for life to or on the order or direction of the decedent, with the right reserved to the decedent at all times before his death to revoke the trust;

(c) Property transferred by the decedent during his lifetime in trust to pay the income for life to or on the order or direction of the decedent with the right reserved to the decedent at all times before his death to make any change in the enjoyment thereof through the exercise of a power to alter, amend, or terminate the trust;

(d) Property passing without full and adequate consideration under a general power of appointment exercised by the decedent by will;

(e) In the case of a decedent's dying after December 31, 1956, property acquired from the decedent by reason of death, form of ownership, or other conditions (including property acquired through the exercise or non-exercise of a power of appointment), if by reason thereof the property is required to be included in determining the value of the decedent's gross estate for Minnesota inheritance or estate tax purposes. In this case, if the property is acquired before the death of the decedent, the basis shall be the amount determined under the first paragraph of this clause reduced by the amount allowed to the taxpayer as deductions in computing taxable net income under this chapter or prior Minnesota income tax laws for exhaustion, wear and tear, obsolescence, amortization, and depletion on the property before the death of the decedent. The basis shall be applicable to the property commencing on the death of the decedent. This paragraph shall not apply to annuities described in section 290.08; and property described in paragraphs (a), (b), (c) and (d) of this clause.

This clause shall not apply to property which constitutes a right to receive an item of income in respect of a decedent under section 290.077. Nor shall it apply to restricted stock options described in section 290.078 which the employee has not exercised at death.

(5) If the property was acquired after December 31, 1932, upon an exchange described in section 290.13, subdivision 1, the basis shall be the same as in the case of the property exchanged, decreased in the amount of any money received by the taxpayer and increased in the amount of gain or decreased in the amount of loss to the taxpayer that was recognized upon the exchange under the law applicable to the year in which the exchange was made. If the property so

acquired consisted in part of the type of property permitted by section 290.13, subdivision 1, to be received without the recognition of gain or loss, and in part of other property, the basis provided in this clause shall be allocated between the properties, other than money, received, and for the purpose of the allocation there shall be assigned to the other property an amount equivalent to its fair market value at the date of the exchange. This clause shall not apply to property acquired by a corporation by the issuance of its stock or securities as the consideration, in whole or in part, for the transfer of the property to it;

(6) If substantially identical property was acquired in the place of stocks or securities which were sold or disposed of and in respect of which loss was not allowed as a deduction under section 290.09, subdivision 5, the basis in the case of property so acquired shall be the same as in the case of the stock or securities so sold or disposed of, increased by the excess of the repurchase price of the property over the sale price of the stock or securities, or decreased by the excess of the sale price of the stock or securities over the repurchase price of the property;

(7) If the property was acquired after December 31, 1932, as the result of a compulsory or involuntary conversion described in section 290.13, subdivision 5, the basis shall be the same as in the case of the property so converted, decreased in the amount of any money received by the taxpayer which was not expended in accordance with the provisions of law applicable to the year in which conversion was made, determining the taxable status of the gain or loss upon conversion, and increased in the amount of gain or decreased in the amount of loss to the taxpayer recognized upon conversion under the law applicable to the year in which conversion was made.

(8) Neither the basis nor the adjusted basis of any portion of real property shall, in the case of a lessor of the property, be increased or diminished on account of income derived by the lessor in respect of the property and excludable from gross income under section 290.08, subdivision 14.

If an amount representing any part of the value of real property attributable to buildings erected or other improvements made by a lessee in respect of the property was included in gross income of the lessor for any taxable year beginning before January 1, 1943, the basis of each portion of the property shall be properly adjusted for the amount included in gross income.

(9) If the property was acquired by the taxpayer as a transfer of property in exchange for the release of the taxpayer's marital rights, the basis of the property shall be the same as it would be if it were being sold or otherwise disposed of by the person who transferred the property to the taxpayer.

(10) The basis of property subject to the provisions of section 1034 of the Internal Revenue Code of 1954, as amended through December 31, 1979 (relating to the rollover of gain on sale of principal residence) shall be the same as the basis for federal income tax purposes. The basis shall be increased by the amount of gain realized on the sale of a principal residence outside of Minnesota, while a nonresident of this state, which gain was not recognized because of the provisions of section 1034."

Page 18, after line 33, insert:

"Sec. 14. Minnesota Statutes 1980, Section 290.39, Subdivision 2, is amended to read:

Subd. 2. ~~[SINGLE FORM FOR SEPARATE RETURNS SEPARATE COMPUTATIONS ON A SINGLE RETURN.]~~ Notwithstanding the provisions of section 290.61, a husband and wife may elect to ~~file separate compute their Minnesota income tax returns separately on a single form return~~, in which event:

(a) if the sum of the payments by either spouse, including withheld and estimated taxes, exceeds the amount of tax ~~for which of such spouse is separately liable as computed separately~~, the excess may be applied by the commissioner to the credit of the other spouse if the sum of the payments by such other spouse, including withheld and estimated taxes, is less than the amount of the tax ~~for which of such other spouse is separately liable as computed separately~~;

(b) if the sum of the payments made by both spouses with respect to the taxes ~~for which they are separately liable of both as computed separately~~, including withheld and estimated taxes, exceeds the total of the taxes due, refund of the excess may be made payable to both spouses or may be credited against any liability in respect of Minnesota income tax on the part of either spouse;

(c) *if the sum of the payments made by both spouses with respect to the taxes of both as computed separately, including withheld and estimated taxes, is less than the total of the taxes due, the liability for the unpaid tax shall be joint and several; provided that a spouse may be relieved of liability in those cases contained in section 6013(e) of the Internal Revenue Code of 1954 as amended through December 31, 1980 (for purposes of computing the 25 percent test contained in that section, the amount of gross income stated in the return shall include the total gross income of both spouses);*

(d) if the standard deduction provided for by section 290.09, subdivision 15, is not utilized, then the total of the Minnesota itemized deductions of a husband and wife may be taken by either or divided between them as they elect."

Page 18, line 36, after "may" delete ", in his discretion,"

Page 19, line 4, after the period, insert "*The political checkoff provided in section 10A.31 shall be included in the short form.*"

Page 20, line 27, delete "(a)"

Page 20, line 29, after "failure" insert "*occurring in the first calendar year when the payer fails to file a return. In each later calendar year when the payer fails to file a return, the amount of the penalty for each failure shall be double the amount charged the payer as the penalty for each failure in the last preceding year when the payer was assessed such a penalty*"

Page 20, line 32, delete ", and" and insert a period

Page 20, delete lines 33 to 36

Page 21, delete line 1

Page 25, line 12, after "income" insert "*(or federal taxable income for estates or trusts)*"

Page 25, line 16, after "income" insert "*(or federal taxable income for estates or trusts)*"

Page 26, line 33, after the period, insert "*The commissioner may disclose*

information concerning the taxpayer to the Minnesota department of public welfare for purposes of auditing welfare benefits."

Page 26, line 35, after "security" insert "or the department of public welfare"

Page 28, line 16, strike "all remuneration, other"

Page 28, strike lines 17 to 36

Page 29, strike lines 1 to 32

Page 29, delete lines 33 to 36

Page 30, delete lines 1 to 6 and insert "the same as that term is defined in section 3401(a) and (f) of the Internal Revenue Code of 1954, as amended through December 31, 1980."

Page 33, line 29, after "Code" delete "to"

Page 33, line 30, delete "which paragraph (h) of" and insert "of 1954 as amended through December 31, 1980, to which"

Page 34, after line 5, insert:

"Sec. 28. Minnesota Statutes 1980, Section 290.92, is amended by adding a subdivision to read:

Subd. 5a. [VERIFICATION OF WITHHOLDING EXEMPTIONS; APPEAL.] (1) An employer shall submit to the commissioner a copy of any withholding exemption certificate received from an employee on which the employee claims any of the following:

(a) a total number of withholding exemptions in excess of nine, or

(b) a status that would exempt the employee from Minnesota withholding, unless the employee is a nonresident exempt from withholding under subdivision 4a, clause (3), or the employer reasonably expects, at the time that the certificate is received, that the employee's wages under subdivision 1 from the employer will not then usually exceed \$200 per week, or

(c) any number of withholding exemptions which the employer has reason to believe is in excess of the number to which the employee is entitled.

(2) Copies of exemption certificates required to be submitted by clause (1) shall be submitted to the commissioner within 30 days after receipt by the employer unless the employer is also required by federal law to submit copies to the Internal Revenue Service, in which case the employer may elect to submit the copies to the commissioner at the same time that he is required to submit them to the Internal Revenue Service.

(3) An employer who submits a copy of a withholding exemption certificate in accordance with clause (1) shall honor the certificate until notified by the commissioner that the certificate is invalid. The commissioner shall mail a copy of any such notice to the employee. Upon notification that a particular certificate is invalid, the employer shall not honor that certificate or any subsequent certificate unless instructed to do so by the commissioner. The employer shall allow the employee the number of exemptions and compute the withholding tax as instructed by the commissioner in accordance with clause (4).

(4) *The commissioner may require an employee to verify that he or she is entitled to the number of exemptions or to the exempt status claimed on the withholding exemption certificate or, that he or she is a nonresident. The employee shall be allowed at least 30 days to submit the verification, after which time the commissioner shall, on the basis of the best information available to him, determine the employee's status and allow the employee the maximum number of withholding exemptions allowable under this chapter. The commissioner shall mail a notice of this determination to the employee at the address listed on the exemption certificate in question. Notwithstanding the provisions of section 290.61, the commissioner may notify the employer of this determination and instruct the employer to withhold tax in accordance with the determination.*

(5) *The commissioner's determination under clause (4) shall be appealable to tax court in accordance with section 271.06, and shall remain in effect for withholding tax purposes pending disposition of any appeal."*

Page 38, line 26, delete "27" and insert "28"

Pages 38 to 40, delete section 27

Page 42, line 12, strike "whichever" and insert "the amount which would have been required to be paid on or before that date if the estimated tax were the lesser" and strike "is the lesser" and insert a colon

Page 43, line 31, delete "(a)"

Page 44, delete lines 12 to 26

Page 45, line 16, delete "36" and insert "39"

Page 45, line 17, delete "37" and insert "40"

Page 46, line 1, delete "37" and insert "40"

Page 46, line 27, delete "35" and insert "38"

Page 47, line 10, delete "35" and insert "38"

Page 47, line 32, delete "Except as otherwise provided in subdivision 4,"

Page 48, delete section 39 and insert:

"Sec. 42. Minnesota Statutes 1980, Section 290A.07, Subdivision 2, is amended to read:

Subd. 2. A claimant who is a renter or who had attained the age of 65 or had been disabled prior to June 1 of the year following the year for which the taxes were levied or in which the rent was paid shall receive full payment no later than 60 days after receipt of the application or may elect to take as a credit against his income tax the full amount. *Interest shall be added at six percent per annum beginning 30 days after the 60 days have elapsed and until the date the claim is paid. If the claimant elected to take the credit against the income tax, interest shall be paid as required under section 290.92, subdivision 13.*

Sec. 43. Minnesota Statutes 1980, Section 290A.07, Subdivision 3, is amended to read:

Subd. 3. Any claimant not included in subdivision 2 shall receive full payment after September 30 and prior to October 15. *Interest shall be added at*

six percent per annum from October 15 or 60 days after receipt of the application if the application is filed after August 31. Interest will be computed until the date the claim is paid."

Pages 49 and 50, delete sections 43 and 44

Page 52, line 13, delete "Except as"

Page 52, line 14, delete "otherwise provided in subdivision 4,"

Page 52, delete lines 18 to 27

Page 52, delete section 47

Page 53, line 2, before "Minnesota" insert "Subdivision 1."

Page 53, after line 3, insert:

"Subd. 2. Minnesota Statutes 1980, Section 290A.07, Subdivision 4, is repealed."

Page 53, delete line 5 and insert "Sections 1, 2, 3, 10, 13, 20, 22, 23, 24, 25, 31, 33, 35, 38,"

Page 53, line 6, delete "36, 39, 44, 45, and 47" and insert "39 and 47"

Page 53, delete line 7 and insert "enactment. Sections 5, 6, 7, 8, 9, 12, 14, 15, 16, 17, 18, 19, 21,"

Page 53, line 8, delete "25, 37, and 48" and insert "29, 40, and 49, subdivision 1"

Page 53, line 9, delete "3" and insert "4"

Page 53, line 11, delete "3" and insert "4" and after the period, insert "Section 11 is effective for estates of decedents dying after December 31, 1979."

Page 53, line 12, delete "23, 24, 26, and 27" and insert "26, 27, 28, and 30"

Page 53, line 13, delete "29 and 31" and insert "32 and 34"

Page 53, line 14, delete "33 and 34" and insert "36 and 37"

Page 53, line 15, delete "40, 42, and 43" and insert "44 and 46"

Page 53, line 18, delete "38 and 46" and insert "41, 42, 43, 48, and 49, subdivision 2"

Page 53, line 21, delete "41" and insert "45"

Page 53, line 24, delete "41" and insert "45"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 33, delete "altering definitions of dependent for"

Page 1, delete lines 34 and 35

Page 1, line 45, after "tax;" insert "providing for the computation of basis; providing for the liability of taxes due on a combined return; clarifying property tax refund interest provisions;"

Page 2, line 1, after "1;" insert "15.1691, Subdivision 2;"

Page 2, line 4, after "subdivision;" insert "290.14;"

Page 2, line 5, delete "Subdivision 1" and insert "Subdivisions 1 and 2"

Page 2, line 11, delete "Subdivision 4" and insert "Subdivisions 2 and 3"

Page 2, line 12, delete "290A.18;"

Page 2, line 13, delete "290A.22;"

Page 2, line 15, delete "Section" and insert "Sections" and after "4" insert "; and 290A.07, Subdivision 4"

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. 429: A bill for an act relating to public safety; regulating boilers, other apparatus and their operators; providing penalties; amending Minnesota Statutes 1980, Sections 183.375, Subdivision 2; 183.38; 183.39, Subdivision 1; 183.41, Subdivision 2; 183.411, Subdivision 2; 183.42; 183.44; 183.45; 183.46; 183.465; 183.48; 183.50; 183.51; 183.52; 183.53; 183.54; 183.545; 183.56; 183.57; 183.59; 183.60; 183.61; 183.62; and proposing new law coded in Minnesota Statutes, Chapter 183; repealing Minnesota Statutes 1980, Section 183.39, Subdivision 2.

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

Page 2, line 28, delete "high pressure"

Page 2, line 31, delete "issued by the national board of"

Page 2, line 32, delete "boiler and pressure vessels inspectors"

Page 6, line 23, after "time" insert "not to exceed 30 days"

Page 6, line 27, strike "STEAM"

Page 7, line 4, before "No" insert "(a)"

Page 7, after line 11, insert:

"(b) For purposes of this chapter, "operation" shall not include monitoring of an automatic boiler, either through on premises inspection of the boiler or by remote electronic surveillance, provided that no operations are performed upon the boiler other than emergency shut down in alarm situations."

Page 7, line 17, delete "An engineer so licensed"

Page 7, delete lines 18 to 26

Page 7, line 32, reinstate the stricken language and delete the new language

Page 7, line 33, delete the new language

Page 7, lines 34 to 36, reinstate the stricken language and delete the new language

Page 8, line 18, strike "HIGH PRESSURE" and insert "GRADE A"

Page 8, line 19, reinstate the stricken "Grade A" and delete the new language

Page 8, line 23, before "engines" reinstate the stricken "steam"

Page 8, line 28, strike "LOW PRESSURE" and insert "GRADE B"

Page 8, line 28, reinstate "Chief engineer,"

Page 8, line 29, reinstate "Grade B, shall be" and reinstate the second "of"

Page 8, line 29, after the stricken "such" insert "the" and reinstate "habits"

Page 8, reinstate line 30 and strike "such" and insert "the"

Page 8, reinstate line 31, and after "charge of" insert "*and be responsible for the safe operation and maintenance of*"

Page 8, line 31, strike "steam" and after "boilers" strike the comma and insert "*and their appurtenances;*" and after "and" at the end of the line, insert a comma

Page 8, reinstate lines 32 to 34

Page 8, lines 30, 32, and 33, after "he" insert "*or she*"

Page 8, line 34, strike "such" and insert "*those*"

Page 8, line 35, reinstate the stricken "Subd. 6." and after "6." insert "[CHIEF ENGINEER, GRADE C.]"

Page 8, line 35, reinstate the stricken "Grade C" and delete the new language

Page 9, line 7, reinstate the stricken "7" and delete "6"

Page 9, line 7, strike "HIGH PRESSURE" and insert "GRADE A"

Page 9, line 8, reinstate the stricken "grade A" and delete the new language

Page 9, lines 19 to 25, reinstate the stricken language

Page 9, line 19, after "8." insert "[FIRST CLASS ENGINEER, GRADE B.]"

Page 9, lines 21, 23 and 24, after "he" insert "*or she*"

Page 9, line 22, after "charge" insert "*and be responsible for the safe operation and maintenance*"

Page 9, line 22, strike "steam"

Page 9, line 23, after "horsepower" insert "*or to operate as a shift engineer in a plant of unlimited horsepower*"

Page 9, line 26, reinstate the stricken "9" and delete "7" and strike "LOW PRESSURE" and insert "GRADE C"

Page 9, line 27, reinstate the stricken "Grade C" and delete the new language

Page 9, line 30, before "plant" insert "*low pressure*"

Page 10, line 2, reinstate the stricken "10" and delete "8" and strike

"HIGH PRESSURE" and insert "GRADE A"

Page 10, line 3, reinstate the stricken "Grade A" and delete the new language

Page 10, lines 15 to 21, reinstate the stricken language

Page 10, line 15, after "11." insert "[SECOND CLASS ENGINEER, GRADE B.]"

Page 10, lines 17, 19 and 20, after "he" insert "or she"

Page 10, line 18, after "charge" insert "*and be responsible for the safe operation and maintenance*"

Page 10, line 18, strike "steam"

Page 10, line 19, after "horsepower" insert "*or to operate as a shift engineer in a plant of not more than 300 horsepower or to assist under his direct supervision the shift engineer in a plant of unlimited horsepower*"

Page 10, line 22, reinstate the stricken "12" and delete "9" and strike "LOW PRESSURE" and insert "GRADE C"

Page 10, line 23, reinstate the stricken "Grade C" and delete the new language

Page 10, line 35, reinstate the stricken "13" and delete "10"

Page 11, line 15, delete "11" and insert "14"

Page 12, line 13, delete "12" and insert "15"

Page 17, line 7, delete "*with no limit on pressure*" and insert "*or a length not exceeding 36 inches*"

Page 17, line 20, delete "and"

Page 17, line 24, after the final period insert a semicolon

Page 17, after line 24, insert:

"(15) *Laundry and dry cleaning presser not exceeding five cubic feet of steam volume; and*

(16) *Unfired pressure vessels in petroleum refineries.*"

Page 17, line 32, delete "100" and insert "50" and before "kilowatt" delete "50" and insert "30"

Page 17, line 32, delete "five" and insert "three"

Amend the title as follows:

Page 1, line 6, delete "183.411, Subdivision 2" and insert "183.411, Subdivision 3"

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. 751: A bill for an act relating to open space and recreation; providing for costs of acquisition and betterment of regional recreation open space lands by the metropolitan council and metropolitan area local governmental units; authorizing issuance of state bonds; appropriating money.

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

Page 1, line 14, delete "\$1,000" and insert "\$40,500,000"

Page 1, line 19, delete "\$....." and insert "\$20,000,000"

Page 2, line 1, after "of" insert "regional"

Page 2, line 6, delete "\$1,000" and insert "\$400,000"

Page 2, after line 9, insert:

"Sec. 3. [DEPARTMENT OF NATURAL RESOURCES; APPROPRIATION FOR ACQUISITION AND DEVELOPMENT.]

The following sums are appropriated from the state building fund to the commissioner of natural resources to acquire and better public outdoor recreation lands and capital improvements:

(1) For acquisition of state parks and recreation areas, as listed and described in Minnesota Statutes, Sections 85.012 and 85.013	\$ 750,000
(2) For betterment of state parks and recreation areas, as listed and described in Minnesota Statutes, Sections 85.012 and 85.013	2,434,800
(3) For acquisition of state trails listed and described in Minnesota Statutes, Section 85.015, and pursuant to Minnesota Statutes, Section 84.029, Subdivision 2	90,000
(4) For betterment of state trails	3,870,800
(5) For acquisition of Minnesota valley trail described in Minnesota Statutes, Section 85.021	200,000
(6) For acquisition of state forests listed and described in Minnesota Statutes, Section 89.021	200,000
(7) For betterment of state forest roads and bridges	2,000,000
(8) For betterment of state forest recreation areas	182,000
(9) For acquisition of fishing management lands including riparian rights and other interests therein needed for management of waters for primary wildlife use and benefit and for access to fishing waters pursuant to Minnesota Statutes, Section 97.48, Subdivisions 8, 11 and 15	500,000
(10) For acquisition of wildlife management areas pursuant to Minnesota Statutes, Sections 97.48, Subdivision 13, and 97.481, and wetlands under the water bank program pursuant to Minnesota Statutes, Section 105.392	5,000,000
(11) For betterment of wildlife management areas, acquired pursuant to Minnesota Statutes, Sections 97.48, Subdivision 13, and 97.481	500,000
(12) For acquisition of natural and scientific areas designated pursuant to Minnesota Statutes, Section 84.033	400,000
(13) For acquisition of wild, scenic, and recreational rivers, designated pursuant to sections 104.25 to 104.40, and canoe and boating routes, portages, and camp sites, as listed and described in Minnesota Statutes, Section 85.32	500,000

(14) For betterment of canoe and boating routes, portages, and camp sites as listed and described in Minnesota Statutes, Section 85.32	37,000
(15) For acquisition of lands to provide public access to public waters	650,000
(16) For betterment of such public accesses to public waters	1,089,000
(17) For independent professional services necessary for the acquisition and betterment of the lands and improvements described above. From this appropriation the commissioner may employ not to exceed 33 persons in the unclassified civil service who are in addition to the complement otherwise authorized by law for the department	2,096,400.

Sec. 4. [LAND ACQUISITION.]

Lands shall be acquired by the commissioner of administration upon request of the commissioner of natural resources and in accordance with the policies established in Minnesota Statutes, Sections 86A.01 to 86A.09. Those acquired for each unit of the outdoor recreation system shall be suited for the purpose of that unit and suited for management in accordance with the principles applicable to it. The commissioner of natural resources shall submit semiannual work progress reports to the legislative commission on Minnesota resources, in the form requested by the commission, and shall submit a work program to the commission and request its recommendation thereon before expending any funds appropriated by section 3 for any purpose. The commission's recommendation shall be advisory only. Failure to respond to a request within 60 days after receipt shall be deemed a negative recommendation.

Sec. 5. Laws 1979, Chapter 301, Section 6, Subdivision 1, is amended to read:

Sec. 6. [GRANTS FOR PARKS AND TRAILS.] Subdivision 1. The state planning agency shall administer a program to provide grants to units of government located within standard metropolitan statistical areas, as designated by the United States office of management and budget, but outside of the metropolitan area defined in *Minnesota Statutes*, Section 473.121. The grants shall be for acquisition and betterment by units of government of public land and improvements needed for parks, trails, conservatories, zoos and other special use facilities having recreational significance for the entire population of the particular standard metropolitan statistical area. Appropriations made for this purpose shall be expended with the approval of the governor after consultation with the legislative advisory commission. The legislative commission on Minnesota resources shall make recommendations to the legislative advisory commission regarding the expenditures. The local contribution required shall be ~~not less than ten percent identical to that required by the legislative commission on Minnesota resources for grants in aid for recreation open space of regional significance.~~ The program shall be administered so as to ensure the maximum possible use of available federal money."

Amend the title as follows:

Page 1, line 2, delete "providing for"

Page 1, delete lines 3 to 7 and insert:

"authorizing the issuance of state bonds and expenditure of the proceeds for the acquisition and betterment of regional recreation open space lands by the

metropolitan council and metropolitan area local governmental units and for the acquisition and betterment of state parks, trails, forests, fish and wildlife management, scientific and natural areas, water accesses, wild, scenic and recreational rivers, and canoe and boating routes by the commissioner of natural resources; appropriating money; amending Laws 1979, Chapter 301, Section 6, 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. 1187: A bill for an act relating to game and fish; increasing and making permanent a surcharge on small game licenses for wildlife land acquisition; amending Minnesota Statutes 1980, Section 97.482, Subdivision 1; repealing Laws 1961, Chapter 66; Section 1, as amended.

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

Page 1, after line 19, insert:

"Sec. 2. [EFFECTIVENESS OF SECTIONS.]

Notwithstanding any other law, Minnesota Statutes, Sections 97.481 to 97.484 shall continue to be effective until repealed."

Renumber the sections in sequence

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. 984: A bill for an act relating to game and fish; increasing game and fish licenses and other fees; amending Minnesota Statutes 1980, Sections 98.46, Subdivisions 2, 2a, 3, 4, 5, 5a, 6, 7, 8, 9, 9a, 10, 11, 12, 14, 15, 16, 17, 18, and 19; 99.28, Subdivision 5; 100.35, Subdivisions 1 and 5; and 101.44.

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 97.40, Subdivision 21, is amended to read:

Subd. 21. "Resident" means any citizen of the United States or resident alien who has maintained a legal residence in the state of Minnesota for a period of 60 days immediately preceding the date of application for license, a domestic corporation, or a foreign corporation authorized to do business in the state which has conducted the business licensed at an established place within the state for a period of at least ten years.

Sec. 2. Minnesota Statutes 1980, Section 98.45, Subdivision 6, is amended to read:

Subd. 6. ~~An alien spouse or~~ A nonresident child under the age of 21 of a resident of this state may take, buy, sell, transport, or possess wild animals as a resident. ~~Any other alien who has made a declaration of intention to become a citizen of the United States in accordance with the statutes of the United States~~

relating to the naturalization of aliens, and who is qualified as a resident of the state except for citizenship, may take, buy, sell, transport, or possess wild animals as a resident."

Page 1, lines 16, 18, and 24, delete "\$13" and insert "\$14"

Page 2, line 4, strike "by March 1, 1978. The"

Page 2, line 5, strike "licenses shall be issued"

Page 2, after line 17, insert:

"Sec. 5. Minnesota Statutes 1980, Section 98.46, is amended by adding a subdivision to read:

Subd. 2b. The commissioner of natural resources, in commemoration of the fiftieth year of the department, shall issue Minnesota golden licenses by March 1, 1982. The license shall be issued to residents only. The fee for the license shall be \$100 and shall authorize the licensee to:

(1) Take small game;

(2) Take fish by angling;

(3) Spear fish from a dark house;

(4) Trap fur bearing animals, except beaver;

(5) Take deer or bear or both with firearms;

(6) Take deer or bear or both with bow and arrow;

(7) Take bear.

The license shall be issued in distinctive format on durable, gold colored material."

Page 3, line 4, strike "\$50" and insert "\$75"

Page 3, strike line 26

Page 3, line 27, strike "(7)" and insert "(6)"

Page 3, line 29, strike "(8)" and insert "(7)"

Page 3, line 31, strike "(9)" and insert "(8)"

Page 3, line 32, strike "(10)" and insert "(9)"

Page 3, line 35, strike "(11)" and insert "(10)"

Page 5, line 4, delete "\$1.50" and insert "\$3"

Page 5, line 11, strike "set lines, or" and after "seines" strike the comma

Page 5, line 18, strike the old language and delete the new language

Page 5, line 19, strike "(3)" and insert "(2)"

Page 7, strike lines 15 to 17

Page 8, line 19, delete "\$75" and insert "\$100"

Page 8, line 30, strike "three" and insert "seven"

Page 8, line 30, delete "\$6.50" and insert "\$10.50"

Page 8, after line 30, insert:

"(3) An individual license to take fish by angling for one day, \$5;"

Page 8, line 31, strike "(3)" and insert "(4)"

Page 8, line 33, strike "(4)" and insert "(5)"

Page 12, delete section 21

Page 13, line 19, strike "resident" and insert "residents"

Page 13, after line 22, insert:

"Sec. 27. [97.4842] [TROUT STAMP.]

Subdivision 1. [STAMP REQUIRED.] No person over the age of 18 and under the age of 65 years who is otherwise required to possess a Minnesota fishing license shall take trout by angling in any trout stream within this state without first purchasing a stamp and having the stamp in his possession while angling for trout in any trout stream. Each stamp shall be validated by the signature of the licensee written across its face. The commissioner shall determine the form of the stamp and shall furnish and distribute stamps to county auditors for sale by them and their authorized subagents as prescribed by order of the commissioner. The commissioner shall encourage the purchase of stamps by any persons who are interested in the improvement of trout streams.

Subd. 2. [FEE.] A stamp shall be issued to each fishing license applicant or other person interested in improvement of trout streams upon the payment of a fee of \$3. Stamps shall be issued annually and shall be valid from March 1 through the last day of the following February.

Subd. 3. [USE OF REVENUE.] The commissioner shall approve projects for the following purposes:

(a) Development, restoration, maintenance or preservation of trout streams; and

(b) Necessary related administrative costs in an amount not to exceed ten percent of the annual deposits into the game and fish fund attributable to the sale of stamps.

Sec. 28. [LICENSE CONSOLIDATION.]

The commissioner shall develop a proposal for the consolidation or elimination wherever possible of game and fish licenses issued under Minnesota Statutes, Chapter 98. The commissioner shall submit this proposal to the appropriate policy committees in both houses of the legislature by February 1, 1982.

Sec. 29. [REPEALER.]

Minnesota Statutes 1980, Section 99.28, Subdivision 5, is repealed."

Page 13, line 24, delete "This act is" and insert "Sections 3 to 27 and 29 are"

Page 13, line 25, after the period, insert "Sections 1, 2 and 28 are effective the day following final enactment."

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 3, after the semicolon, insert "including resident alien in the

definition of resident for purposes of game and fish licenses; requiring the commissioner of natural resources to submit a license consolidation and elimination proposal to the legislature;"

Page 1, line 4, after "Sections" insert "97.40, Subdivision 21; 98.45, Subdivision 6;"

Page 1, line 6, after "19" insert ", and by adding a subdivision"

Page 1, line 6, delete "99.28, Subdivision 5;"

Page 1, line 7, before the period, insert "; repealing Minnesota Statutes 1980, Section 99.28, Subdivision 5; proposing new law coded in Minnesota Statutes, Chapter 97"

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

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

House Concurrent Resolution No. 1: A House concurrent resolution expressing the appreciation of Minnesotans in this day of renewed patriotism to all Vietnam War veterans for their services to the people of the State of Minnesota; and encouraging local demonstrations to engender proper recognition of Vietnam veterans.

Reports the same back with the recommendation that the resolution be adopted. Report adopted.

Mr. Schmitz moved that House Concurrent Resolution No. 1 be laid on the table. The motion prevailed.

Mr. Moe, R.D. from the Committee on Rules and Administration, to which were referred

H. F. Nos. 1088 and 976 for comparison with companion Senate Files, reports the following House Files were found not identical with their companion Senate Files as follows:

GENERAL ORDERS		CONSENT CALENDAR		CALENDAR	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
1088	942				
976	981				

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H. F. No. 1088 be amended as follows:

Page 1, line 20, delete "filed" and insert "maintained"

Page 1, line 20, delete "with the" and insert a period

Page 1, delete lines 21 to 23

Amend the title as follows:

Page 1, lines 4 and 5, delete "providing for filing certain documents with the Minnesota historical society;"

And when so amended H. F. No. 1088 will be identical to S. F. No. 942, and further recommends that H. F. No. 1088 be given its second reading and

substituted for S. F. No. 942, and that the Senate File be indefinitely postponed.

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H. F. No. 976 be amended as follows:

Page 4, line 12, delete “, employer” and delete “additional”

And when so amended H. F. No. 976 will be identical to S. F. No. 981, and further recommends that H. F. No. 976 be given its second reading and substituted for S. F. No. 981, and that the Senate File be indefinitely postponed.

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

Mr. Moe, R.D. from the Committee on Rules and Administration, to which was referred

H. F. No. 536 for comparison with companion Senate File, reports the following House File was found identical and recommends the House File be given its second reading and substituted for its companion Senate File as follows:

GENERAL ORDERS		CONSENT CALENDAR		CALENDAR	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
536	712				

and that the above Senate File be indefinitely postponed.

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

SECOND READING OF SENATE BILLS

S. F. Nos. 1204, 950, 1277, 831, 1293, 167, 1305, 1139, 429, 1187 and 984 were read the second time.

SECOND READING OF HOUSE BILLS

H. F. Nos. 591, 1304, 1088, 976 and 536 were read the second time.

MOTIONS AND RESOLUTIONS

Mr. Rued moved that the name of Mr. Merriam be added as co-author to S. F. No. 680. The motion prevailed.

Mr. Langseth moved that the name of Mr. Setzepfandt be added as co-author to S. F. No. 1199. The motion prevailed.

Mr. Luther moved that the name of Mr. Dahl be added as co-author to S. F. No. 1313. The motion prevailed.

Mr. Schmitz moved that House Concurrent Resolution No. 1 be taken from the table. The motion prevailed.

House Concurrent Resolution No. 1: A House concurrent resolution ex-

pressing the appreciation of Minnesotans in this day of renewed patriotism to all Vietnam War veterans for their services to the people of the State of Minnesota; and encouraging local demonstrations to engender proper recognition of Vietnam veterans.

Mr. Schmitz moved the adoption of the foregoing resolution. The motion prevailed. So the resolution was adopted.

Mr. Solon moved that H. F. No. 1080 be withdrawn from the Committee on Health, Welfare and Corrections and re-referred to the Committee on Rules and Administration for comparison with S. F. No. 993, now on General Orders. The motion prevailed.

Mr. Peterson, R.W., for Mr. Davies, moved that S. F. No. 302, No. 7 on General Orders, be stricken and returned to the Committee on Judiciary. The motion prevailed.

CALENDAR

H. F. No. 1269: A bill for an act relating to energy; providing for the confidentiality of certain energy data; changing the duties of Minnesota energy agency; subdivision regulations; providing for certain inspections; extending biomass plan deadline; amending Minnesota Statutes 1980, Sections 116H.08; 116H.12, Subdivision 3a, and by adding a subdivision; 116H.129, Subdivision 4; 116H.19, Subdivision 1; 462.358, Subdivision 2a; proposing new law coded in Minnesota Statutes, Chapter 15.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 58 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

CONSENT CALENDAR

H. F. No. 420: A bill for an act relating to the bureau of criminal apprehension; including the superintendent within workers' compensation coverage; amending Minnesota Statutes 1980, Section 299C.19.

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

The question was taken on the passage of the bill.

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

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

H. F. No. 30: A bill for an act relating to Independent School District No. 219, Elmore; requiring revision of its certified statutory operating debt.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 58 and nays 3, as follows:

Those who voted in the affirmative were:

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

Messrs. Engler, Lindgren and Rued voted in the negative.

So the bill passed and its title was agreed to.

H. F. No. 518: A bill for an act relating to education; including state hospitals as eligible employers for the purpose of work-study grants; amending Minnesota Statutes 1980, Section 136A.233, Subdivision 2.

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

The question was taken on the passage of the bill.

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

Those who voted in the affirmative were:

Ashbach	Bertram	Dieterich	Johnson	Lantry
Bang	Brataas	Engler	Keefe	Lessard
Belanger	Chmielewski	Frank	Knoll	Lindgren
Benson	Dahl	Frederickson	Knutson	Luther
Berg	Davies	Hanson	Kroening	Menning
Berglin	Davis	Hughes	Kronebusch	Merriam
Bernhagen	Dicklich	Humphrey	Langseth	Moe, D. M.

Moe, R. D.	Peterson, R. W.	Rued	Stern	Vega
Nelson	Petty	Schmitz	Stokowski	Waldorf
Olhoft	Pillsbury	Setzepfandt	Stumpf	Willet
Pehler	Purfeerst	Sikorski	Taylor	
Penny	Ramstad	Solon	Tennesen	
Peterson, C. C.	Renneke	Spear	Ulland	

So the bill passed and its title was agreed to.

H. F. No. 401: A bill for an act relating to commerce; regulating the licensing of electricians; amending Minnesota Statutes 1980, Section 326.242, Subdivision 2.

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

The question was taken on the passage of the bill.

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

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

GENERAL ORDERS

The Senate resolved itself into a Committee of the Whole, with Mrs. Lantry in the chair.

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

S. F. Nos. 808, 595, 1140, 782, 1064, 368, 671, 1008, 1047 and 1150, which the committee recommends to pass.

S. F. No. 399, which the committee recommends to pass with the following amendment offered by Mr. Frank:

Page 1, line 16, after "No" insert "legend"

Amend the title as follows:

Page 1, line 2, after "of" insert "legend"

The motion prevailed. So the amendment was adopted.

S. F. No. 510, which the committee recommends to pass with the following amendment offered by Mr. Merriam:

Page 3, line 11, after "district" insert ", county, or county municipal"

Page 3, lines 12, 23, 34, and 36, delete "*of the district court*"

Page 7, line 10, delete "*of the district court*"

Page 8, lines 22 and 26, delete "*juvenile*"

Page 9, line 36, delete "*of the district*"

Page 10, line 1, delete "*court*"

Page 10, lines 6 and 8, delete "*of the district court*"

The motion prevailed. So the amendment was adopted.

S. F. No. 443, which the committee recommends to pass with the following amendment offered by Mr. Tennesen:

Page 3, line 22, strike "(1)" and insert "(a)"

Page 3, line 31, strike "(2)" and insert "(b)"

Page 3, line 33, strike "(3)" and insert "(c)"

Page 3, line 36, strike "(4)" and insert "(d)"

Page 4, line 2, delete "(5)" and insert "(e)"

Page 4, line 4, delete "(a)" and insert "(1)"

Page 4, line 8, delete "(b)" and insert "(2)"

Page 4, line 11, delete "(c)" and insert "(3)"

Page 4, line 22, delete "(d)" and insert "(4)"

Page 4, line 31, delete "(6)" and insert "(f)"

Page 4, line 32, delete "(7)" and insert "(g)"

Page 5, line 1, delete "(8)" and insert "(h)"

The motion prevailed. So the amendment was adopted.

S. F. No. 1122, which the committee reports progress, subject to the following motion:

Mr. Merriam moved to amend S.F. No. 1122 as follows:

Page 1, line 19, delete "*The administrator may submit to the commissioner,*"

Page 1, delete lines 20 to 25

Page 2, delete lines 1 to 5

Page 2, line 6, delete "*the date of reinstatement.*"

The motion prevailed. So the amendment was adopted.

S. F. No. 1122 was then progressed.

S. F. No. 763, which the committee recommends to pass with the following amendments offered by Mr. Knoll:

Mr. Knoll moved to amend S. F. No. 763 as follows:

Page 3, line 26, after "*revenue*" delete the comma and insert "*which are derived from federal sources other than general revenue sharing, or private grant sources.*"

Page 3, line 27, delete "except that"

The motion prevailed. So the amendment was adopted.

Mr. Knoll then moved to amend S. F. No. 763 as follows:

Page 4, line 14, after "with" insert "that"

Page 4, line 14, delete "462C"

Page 4, line 26, after "with" insert "that"

Page 4, line 26, delete "462C"

The motion prevailed. So the amendment was adopted.

S. F. No. 562, which the committee recommends to pass with the following amendment offered by Mr. Kroening:

Page 2, line 22, before the period, insert "and who holds himself or herself out to the public as having knowledge or skill peculiar to the business of home improvement"

Page 2, delete lines 25 to 27 and insert:

"Subd. 11. "Owner" means any person who owns a residential building on which home improvement work is performed, and includes any subsequent owner of the residential building."

Page 2, delete lines 30 to 36 and insert:

"Subd. 3. [HOME IMPROVEMENT WARRANTIES.] (a) In a sale or in a contract for the sale of home improvement work involving major structural changes or additions to a residential building, the home improvement contractor shall warrant to the owner that:

(1) During the one year period from and after the warranty date the home improvement shall be free from defects caused by faulty workmanship and defective materials due to noncompliance with building standards; and

(2) During the ten year period from and after the warranty date the home improvement shall be free from major construction defects.

(b) In a sale or in a contract for the sale of home improvement work involving the installation of plumbing, electrical, heating or cooling systems, the home improvement contractor shall warrant to the owner that, during the two year period from and after the warranty date, the home improvement shall be free from defects caused by the faulty installation of the system or systems.

(c) In a sale or in a contract for the sale of any home improvement work not covered by paragraphs (a) or (b) of this subdivision, the home improvement contractor shall warrant to the owner that, during the one year period from and after the warranty date, the home improvement shall be free from defects caused by faulty workmanship or defective materials due to noncompliance with building standards."

Page 3, delete lines 1 to 8

The motion prevailed. So the amendment was adopted.

S. F. No. 378, which the committee recommends to pass with the following amendment offered by Ms. Berglin:

Page 2, line 1, after "time" insert " , either temporary or permanent,"

The motion prevailed. So the amendment was adopted.

S. F. No. 549, which the committee recommends to pass, after the following motion:

Mr. Keefe moved to amend S. F. No. 549 as follows:

Page 2, after line 3, insert:

"Sec. 2. Minnesota Statutes 1980, Section 10A.25, is amended by adding a subdivision to read:

Subd. 5a. The expenditure limit imposed by subdivision 2 shall be increased by ten percent for any candidate who is not an incumbent in the office to which the candidate is seeking election and who has not been elected to public office during the four years before becoming a candidate, from a district including more than 40 percent of the population of the district from which he is a candidate."

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 4, after the semicolon, insert "providing a separate campaign spending limit for non incumbents;"

Page 1, line 6, after "6", insert " , and by adding a subdivision"

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 12 and nays 37, as follows:

Those who voted in the affirmative were:

Ashbach	Frederickson	Lindgren	Pillsbury	Rued
Benson	Keefe	Penny	Ramstad	Ulland
Brataas	Knutson			

Those who voted in the negative were:

Belanger	Dicklich	Lantry	Peterson, C. C.	Stokowski
Berg	Dieterich	Luther	Peterson, R. W.	Stumpf
Berglin	Frank	Merriam	Petty	Taylor
Bertram	Hanson	Moe, D. M.	Purfeerst	Tennessee
Chmielewski	Humphrey	Moe, R. D.	Setzepfandt	Waldorf
Dahl	Johnson	Nelson	Sikorski	
Davies	Knoll	Olhoft	Spear	
Davis	Kroening	Pehler	Stem	

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

S. F. No. 314, which the committee recommends to pass with the following amendment offered by Mr. Stumpf:

Page 76, after line 1, insert:

"Sec. 2. [INSTRUCTION TO REVISOR.]

In accordance with Minnesota Statutes, Section 648.34, the revisor of statutes shall include in the next and subsequent editions of Minnesota Statutes,

Laws 1974, Chapter 435, as amended."

Renumber the sections in sequence

The motion prevailed. So the amendment was adopted.

S. F. No. 939, which the committee recommends to pass with the following amendment offered by Ms. Berglin:

Pages 1 and 2, delete sections 1 and 2

Pages 5 and 6, delete section 5

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 2, delete "permitting the filing of a"

Page 1, delete line 3

Page 1, line 4, delete "district court;"

Page 1, line 8, delete "Subdivisions 1, 3 and" and insert "Subdivision" and after the semicolon insert "and"

Page 1, line 9, delete "; and 363.14, Subdivision 1"

The motion prevailed. So the amendment was adopted.

S. F. No. 827, which the committee recommends to pass with the following amendment offered by Mr. Davies:

Page 1, line 13, after the stricken "examine" insert "during and"

The motion prevailed. So the amendment was adopted.

S. F. No. 767, which the committee reports progress, subject to the following motion:

Mr. Merriam moved to amend S. F. No. 767 as follows:

Delete everything after the enacting clause and insert:

"Section 1. [375.171] [PUBLICATION OF FINANCIAL STATEMENTS.]

On or before the first Monday in each March, the county board shall publish a summary of its annual financial statement in a legal newspaper designated by the county board. The publication shall include a summary of the county's assets and liabilities and of receipts, disbursements, and balances in all county funds. The publication shall also include a notice designating a location where and the hours when the entire financial statement may be examined by the public.

Sec. 2. [REPEALER.]

Minnesota Statutes 1980, Section 375.17, is repealed."

Amend the title as follows:

Page 1, line 3, delete "amending" and insert "proposing new law coded in Minnesota Statutes, Chapter 375; repealing"

The motion prevailed. So the amendment was adopted.

S. F. No. 767 was then progressed.

On motion of Mrs. Lantry, the report of the Committee of the Whole, as kept by the Secretary, was adopted.

INTRODUCTION AND FIRST READING OF SENATE BILLS

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

Messrs. Vega, Schmitz, Purfeerst, Dicklich and Mrs. Kronebusch introduced—

S.F. No. 1352: A bill for an act relating to metropolitan government; eliminating the requirement that certain commissions reimburse the metropolitan council for certain costs; repealing Minnesota Statutes 1980, Sections 473.164 and 473.595, Subdivision 4.

Referred to the Committee on Transportation.

Messrs. Vega, Schmitz, Purfeerst, Dicklich and Mrs. Kronebusch introduced—

S.F. No. 1353: A bill for an act relating to transit; eliminating certain requirements from the metropolitan transit commission; amending Minnesota Statutes 1980, Section 473.164, Subdivision 1.

Referred to the Committee on Transportation.

Messrs. Vega, Solon, Johnson, Davies and Keefe introduced—

S.F. No. 1354: A bill for an act relating to landlords and tenants; requiring landlords to pay interest on security deposits and advance payments of rent by commercial tenants; proposing new law coded in Minnesota Statutes, Chapter 504.

Referred to the Committee on Judiciary.

Messrs. Vega, Solon and Lindgren introduced—

S.F. No. 1355: A bill for an act relating to health; prohibiting discrimination by health maintenance organizations against optometrists; amending Minnesota Statutes 1980, Section 62D.12, by adding a subdivision.

Referred to the Committee on Health, Welfare and Corrections.

Messrs. Vega and Pehler introduced—

S.F. No. 1356: A bill for an act relating to public employment; providing for transfer of accrued vacation or compensatory time under certain conditions; amending Minnesota Statutes 1980, Section 16A.17, Subdivision 7.

Referred to the Committee on Public Employees and Pensions.

Mr. Sikorski, Mrs. Brataas, Messrs. Solon, Ashbach and Johnson introduced—

S.F. No. 1357: A bill for an act relating to intoxicating liquor; prohibiting

discrimination in sales; filing of wholesale prices; amending Minnesota Statutes 1980, Sections 340.114, Subdivision 1; and 340.983.

Referred to the Committee on Commerce.

Messrs. Rued, Purfeerst, Engler and Willet introduced—

S.F. No. 1358: A bill for an act relating to transportation; including within the specific information signing program commercial establishments that provide resort recreational or related services to the recreational traveler; amending Minnesota Statutes 1980, Sections 160.292, Subdivisions 2 and 9, and 160.293, Subdivisions 1 and 3.

Referred to the Committee on Transportation.

Messrs. Davis, Pehler, Bang, Lindgren and Dicklich introduced—

S.F. No. 1359: A bill for an act relating to gambling; allowing certain organizations to conduct casino nights under specified conditions; amending Minnesota Statutes 1980, Sections 349.26, Subdivisions 8, 10, 11, 12, 13, 14, and by adding a subdivision; and 609.75, Subdivision 3.

Referred to the Committee on General Legislation and Administrative Rules.

Mr. Dicklich introduced—

S.F. No. 1360: A bill for an act relating to retirement; Buhl police relief association; authorizing the purchase of service credit for probationary service.

Referred to the Committee on Public Employees and Pensions.

Messrs. Peterson, C.C.; Lessard and Chmielewski introduced—

S.F. No. 1361: A bill for an act relating to juveniles; providing that delinquency hearings shall be open to the public; providing that certain children adjudicated delinquent may be detained in secure detention facilities for eight days; authorizing certain children adjudicated delinquent to be placed in semi-secure treatment programs; amending Minnesota Statutes 1980, Sections 260.155, Subdivision 1; 260.173, by adding subdivisions; and 260.185, Subdivision 1.

Referred to the Committee on Judiciary.

Messrs. Bang, Merriam, Purfeerst and Pillsbury introduced—

S.F. No. 1362: A bill for an act relating to taxation; increasing the sales and use tax and motor vehicle excise tax rate for sales occurring after June 30, 1981 and prior to July 1, 1983; amending Minnesota Statutes 1980, Sections 297A.02; 297A.14; and 297A.24.

Referred to the Committee on Taxes and Tax Laws.

MOTIONS AND RESOLUTIONS - CONTINUED

Mr. Moe, R.D. moved that the Senate do now adjourn until 10:00 a.m., Thursday, April 23, 1981. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate