

THIRTY-NINTH DAY

St. Paul, Minnesota, Thursday, April 23, 1981

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

Prayer was offered by the Chaplain, Rev. Eugene N. Seltz.

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

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

The President declared a quorum present.

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

Mr. Nelson was excused from the Session of today from 12:00 noon to 1:00 p.m.

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. 333, 196, 462, 463, 611 and 849.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned April 22, 1981

Mr. President:

I have the honor to announce that the House refuses to concur in the Senate amendments to House File No. 396.

H. F. No. 396: A bill for an act relating to the military; requiring the adjutant general to furnish an American flag upon request of the person disposing of the

remains of a deceased person who served six years or more in the Minnesota national guard; proposing new law coded in Minnesota Statutes, Chapter 192.

And the House respectfully requests that a Conference Committee of three members be appointed thereon.

Jennings; Anderson, G., and Kostohyrz have been appointed as such committee on the part of the House.

House File No. 396 is herewith transmitted to the Senate with the request that the Senate appoint a like committee.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted April 22, 1981

Mr. Moe, R. D. moved that H. F. No. 396 be laid on the table. The motion prevailed.

Mr. President:

I have the honor to announce the passage by the House of the following House Files, herewith transmitted: H. F. Nos. 247, 932 and 886.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted April 22, 1981

FIRST READING OF HOUSE BILLS

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

H. F. No. 247: A bill for an act relating to retirement; authorizing certain persons to purchase prior service credit; authorizing certain persons to change retirement coverage for future services.

Referred to the Committee on Finance.

H. F. No. 932: A bill for an act relating to taxation; income; property tax refund; making technical corrections; deleting obsolete provisions; amending Minnesota Statutes 1980, Sections 290.01, Subdivisions 3, 19, 20, 21, 22, 23, 25, 26, and 27; 290.011; 290.032, Subdivision 2; 290.06, Subdivisions 1, 2c, 3e, 3f, and 11; 290.07, Subdivision 3; 290.071, Subdivisions 2 and 3; 290.075; 290.077, Subdivisions 1 and 2; 290.079, Subdivision 6; 290.08, Subdivision 8; 290.081; 290.085; 290.09, Subdivisions 1, 2, 4, 5, 6, 7, 10, 15, 18, 21, and 29; 290.095, Subdivision 2; 290.10; 290.101, Subdivision 9; 290.12, Subdivisions 1, 2; and 4; 290.13, Subdivision 5; 290.131, Subdivisions 1 and 3; 290.132, Subdivision 1; 290.133, Subdivision 2; 290.134, Subdivision 1; 290.135, Subdivision 1; 290.14; 290.16, Subdivisions 1, 3, 7, 8, 9, 12, and 13; 290.17, Subdivision 2; 290.18, Subdivisions 1 and 2; 290.21, Subdivisions 1, 3, 3a, 4, and 7; 290.22; 290.23, Subdivisions 3, 5, 9, and 15; 290.25, Subdivision 1; 290.26, Subdivisions 1, 2a, and 3; 290.281, Subdivision 2; 290.31, Subdivisions 2, 3, 4, 6, 9, 10, 11, 21, and by adding a subdivision; 290.32; 290.34, Subdivision 3; 290.35; 290.39, Subdivision 1; 290.42; 290.45, Subdivision 3; 290.46; 290.48, Subdivision 2; 290.49, Subdivisions 1 and 4; 290.50, Subdivisions 1, 3, and 5; 290.53, Subdivisions 1 and 4; 290.56, Subdivisions 2, 3, and 4; 290.92, Subdivisions 5, 6, 16, and

19; 290.93, Subdivisions 5 and 6; 290.932, Subdivisions 1 and 4; 290A.03, Subdivisions 3 and 13; 290A.04, Subdivisions 2 and 2c; 290A.06; and 290A.07, Subdivision 2; repealing Minnesota Statutes 1980, Sections 290.076; 290.08, Subdivisions 7 and 13; 290.131, Subdivisions 4, 5, 6, and 7; 290.133, Subdivision 3; 290.134, Subdivisions 2, 3, and 4; 290.135, Subdivisions 2, 3, and 4; 290.23, Subdivisions 1, 2, 6, 7, 8, 10, 11, 12, 13, and 14; 290.24; 290.25, Subdivisions 2, 3, 4, and 5; 290.26, Subdivisions 4 and 7; 290.27; 290.28; 290.60; 290.65, Subdivision 17; 290.931, Subdivision 4; 290.932, Subdivision 3; 290.933, Subdivision 3; and 290.934; Subdivision 6.

Referred to the Committee on Rules and Administration for comparison with S. F. No. 687, now on General Orders.

H. F. No. 886: A bill for an act relating to mobile homes; specifying conditions on which a lessor may recover possession of land upon which a mobile home is located; requiring disclosure; providing for the recovery of possession of land by the lessor upon expiration of the lease term; amending Minnesota Statutes 1980, Sections 327.44; and 327.553, Subdivision 1; proposing new law coded in Minnesota Statutes, Chapter 327.

Referred to the Committee on Judiciary.

REPORTS OF COMMITTEES

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

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

H. F. No. 395: A bill for an act relating to state government; allowing other public employees, as well as spouses of state and other public employees, to participate in state employee van pools under certain circumstances; amending Minnesota Statutes 1980, Section 16.756, by adding a subdivision.

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

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

H. F. No. 893: A bill for an act relating to transportation; authorizing the purchase of the closed combination railroad and highway bridge connecting St. Paul Park in Washington County and Inver Grove Heights in Dakota County, and authorizing its operation as a toll bridge by a private business entity; providing for the regulation of the operation and maintenance of the bridge and the establishment of maximum toll charges by the counties of Washington and Dakota.

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

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

H. F. No. 847: A bill for an act relating to highway traffic regulations; providing for the designation and undesignation of routes to carry certain gross weights; amending Minnesota Statutes 1980, Section 169.832, Subdivision

11; repealing Minnesota Statutes 1980, Section 169.832, Subdivision 12.

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

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

H. F. No. 357: A bill for an act relating to highway traffic regulation; authorizing and regulating the use of strobe lamps on school buses; correcting the applicability provision of a school bus law; authorizing and regulating flashing signals or school bus stop signal arms; imposing standards for the signal arms; restricting the meaning of "type three school bus"; prohibiting a type three school bus from being equipped and identified as certain other school buses; amending Minnesota Statutes 1980, Sections 169.44, Subdivisions 3 and 10, and by adding subdivisions; 169.64, by adding a subdivision.

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

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

H. F. No. 467: A bill for an act relating to motor vehicles; authorizing the identification of certain tax exempt vehicles by use of removable plates or placards; amending Minnesota Statutes 1980, Section 168.012, Subdivision 1.

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

Page 2, line 16, strike "school"

Page 2, line 17, strike "district" and insert "*political subdivision*"

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

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

H. F. No. 704: A bill for an act relating to motor vehicles; providing for the taxation and registration of certain collector's vehicles; including additional vehicles entitled to classic car license plates; increasing the tax thereon; amending Minnesota Statutes 1980, Section 168.10, Subdivision 1b.

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

Page 1, line 26, reinstate the stricken language and delete the new language

Page 5, after line 35, insert:

"Sec. 2. Minnesota Statutes 1980, Section 169.73, is amended to read:

169.73 [BUMPERS, SAFEGUARDS.]

Subdivision 1. [DEFINITION.] As used in this section "private passenger vehicle" means a four wheeled passenger automobile; ~~station wagon, or truck of a gross vehicle weight of 9,000 pounds or less, as those terms are defined in section 168.011, or a jeep type automobile,~~ but does not include ~~any~~ a collector vehicle as defined in section 168.10.

Subd. 2. [BUMPER RESTRICTIONS REQUIREMENT.] All private passenger vehicles shall be equipped with front and rear bumpers. ~~The bumpers~~

shall be securely attached to the frame, and shall extend beyond the extreme front and rear points, respectively, of the vehicles. The center point of the bumpers shall be not more than 20, nor less than 16, inches from the ground when the vehicle is unloaded, provided that two rigid cross-bars may be attached to any bumper to extend it so that it will reach into a point within the required height from the ground.

Subd. 3. [BUMPER RESTRICTIONS.] No person shall operate a passenger automobile, station wagon, jeep type automobile, or truck of a gross weight of 9,000 pounds or less that: (a) Was originally equipped with bumpers as standard equipment, unless the vehicle is equipped with bumpers equal to the original equipment; or (b) Has a suspension system or body so modified that the height of any bumper on the vehicle varies more than three inches from the original manufactured bumper height for the vehicle.

Subd. 4. [PENALTY.] Any person who violates this section is guilty of a misdemeanor."

Amend the title as follows:

Page 1, line 5, after "plates;" insert "redefining a private passenger vehicle for certain purposes; clarifying certain requirements for front and rear bumpers; providing penalties;"

Page 1, line 5, delete "increasing the tax thereon;"

Page 1, line 6, delete "Section" and insert "Sections"

Page 1, line 7, after "1b" insert "; and 169.73"

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

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

S. F. No. 823: A bill for an act relating to transportation; regulating apportionment from the municipal state-aid street fund; providing for the inclusion of certain cities in the 1981 apportionment of municipal state-aid street funds.

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

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

H. F. No. 564: A bill for an act relating to insurance; allowing a township mutual fire insurance company to insure certain property; amending Minnesota Statutes 1980, Section 67A.14, Subdivision 5.

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

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

H. F. No. 277: A bill for an act relating to insurance; broadening the investment authority of township mutual insurance companies; prescribing recordkeeping duties; providing remedies; proposing new law coded in Minnesota Statutes, Chapter 67A; repealing Minnesota Statutes 1980, Sections 67A.23 and 67A.24.

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

adopted.

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

H. F. No. 775: A bill for an act relating to public utilities; removing municipal utilities from public utilities commission jurisdiction and granting an option in regard thereto; amending Minnesota Statutes 1980, Section 216B.11; proposing new law coded in Minnesota Statutes, Chapter 216B; repealing Minnesota Statutes 1980, Sections 216B.10, Subdivision 6; 216B.12, Subdivision 2; and 216B.13, Subdivision 2.

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

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

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

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

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

H. F. No. 436: A bill for an act relating to financial institutions; setting application fees for industrial loan and thrifts; providing for publication of notices; establishing procedures for consideration of applications for consent to sell and issue certificates; increasing the minimum amounts for insurance of accounts; amending Minnesota Statutes 1980, Sections 53.03, Subdivision 1, and by adding subdivisions; and 53.10, Subdivision 1.

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

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

S. F. No. 1259: A bill for an act relating to Independent School District No. 281, Robbinsdale; providing an alley system for at large election of school board members.

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

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

S. F. No. 1343: A bill for an act relating to elections; providing for automatic recounts in certain judicial elections; amending Minnesota Statutes 1980, Sections 204A.51, Subdivisions 2 and 3; and 204A.53, Subdivisions 2 and 3.

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

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

S. F. No. 1278: A bill for an act relating to elections; providing for special elections to fill vacancies in statutory city offices; amending Minnesota Statutes 1980, Sections 205.10; 205.17, by adding a subdivision; and 412.02, Subdivision 2, and by adding a subdivision.

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

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

H. F. No. 979: A bill for an act relating to health; encouraging philanthropic support of hospitals; providing that funds derived from specified types of gifts or grants shall not be deducted from the operating costs of a hospital; proposing new law coded in Minnesota Statutes, Chapter 144.

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

Page 1, line 20, delete "*unrestricted*"

Page 1, line 22, after "*excluded*" insert "*from operating costs*"

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

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

H. F. No. 1178: A bill for an act relating to the board of medical examiners; allowing temporary suspension of physicians' licenses without a hearing under certain conditions; amending Minnesota Statutes 1980, Section 147.021, by adding a subdivision.

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

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

S. F. No. 1248: A bill for an act relating to local improvements; regulating the issuance of temporary improvement bonds; amending Minnesota Statutes 1980, Section 429.091, Subdivision 3, and by adding subdivisions.

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. 1322: A bill for an act relating to counties; providing that the compensation of members of the St. Louis county board of commissioners be set pursuant to general law; amending Minnesota Statutes 1980, Section 375.055, Subdivision 1; repealing Laws 1965, Chapter 843.

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. 1193: A bill for an act relating to the city of Crystal; providing for the designation of polling places in a certain precinct.

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

Page 1, line 10, delete "*may*" and insert "*shall*"

Page 1, line 11, after "*designate*" insert "*the polling places*"

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

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

S. F. No. 1321: A bill for an act relating to the city of Granite Falls; authorizing the establishment of a community development program and providing powers for it.

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

Pages 2 and 3, delete subdivision 3

Renumber the subdivisions in sequence

Page 6, after line 14, insert:

"Sec. 4. [EFFECTIVE DATE.]

This act is effective the day following final enactment."

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

Mr. Knoll from the Committee on Governmental Operations, to which was referred the following appointment as reported in the Journal for January 26, 1981:

DEPARTMENT OF ADMINISTRATION COMMISSIONER

James Hiniker

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

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

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

H. F. Nos. 1080, 1052, 484 and 567 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.
1080	993				
1052	922				
484	398				
567	1293				

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H. F. No. 1080 be amended as follows:

Page 1, delete lines 10 to 16

Page 1, line 17, delete "*Subd. 2*" and insert "*Subdivision 1*."

Page 1, line 23, delete "3" and insert "2"

Page 2, line 1, delete "*Minnesota Statutes*,"

Page 2, line 3, delete "4" and insert "3"

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

Page 2, line 5, delete "*Statutes*,"

Page 2, line 10, delete "*This act*" and insert "*Section 1*"

And when so amended H. F. No. 1080 will be identical to S. F. No. 993, and further recommends that H. F. No. 1080 be given its second reading and substituted for S. F. No. 993, and that the Senate File be indefinitely postponed.

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H. F. No. 1052 be amended as follows:

Page 1, line 14, delete "*The deed shall provide that the tract shall revert*"

Page 1, delete line 15

And when so amended H. F. No. 1052 will be identical to S. F. No. 922, and further recommends that H. F. No. 1052 be given its second reading and substituted for S. F. No. 922, and that the Senate File be indefinitely postponed.

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H. F. No. 484 be amended as follows:

Page 2, delete line 29

Page 3, line 13, delete "*clause*" and insert "*paragraph*"

Page 3, line 16, delete the colon and reinstate the comma

Page 11, line 17, delete "*80D.03*" and insert "*80D.04*"

Page 14, line 3, strike "the"

Page 14, lines 4 and 5, delete "*office of the attorney general and to any association of residents*" and insert "*any resident or association of residents, or the legal representative of a resident or association of residents*,"

Page 14, line 10, after "any" insert "*part of the*" and after "reserve" insert "*escrow*"

Page 15, line 11, delete the new language

Page 15, line 15, strike "The"

Page 15, lines 16 to 21, delete the new language and strike all the old language

Page 17, line 29, delete "*or attorney general*"

Page 17, line 34, strike "upon application of the" and delete "*attorney general*"

Page 18, line 19, delete the headnote and strike the old language

Page 18, lines 20 to 31, delete the new language and strike all the old language

Pages 19 and 20, delete sections 12, 13, and 14

Page 20, line 23, delete "15" and insert "12"

Page 21, line 2, delete "16" and insert "13"

Page 22, line 12, delete "*, chapter 80D*" and insert "*(chapter 80D)*"

Page 22, line 14, delete "17" and insert "14"

Page 22, line 16, delete the comma after "80D.14"

Page 22, line 17, delete "*Subdivision 3*"

Page 22, line 17, before "*80D.17*" insert "*80D.15;*"

Page 22, line 18, delete "18" and insert "15"

Page 22, line 19, delete "17" and insert "14"

Amend the title as follows:

Page 1, line 9, delete "80D.14,"

Page 1, line 10, delete "Subdivisions 1 and 2; 80D.15;"

Page 1, line 13, delete "*, Subdivision 3*" and before "*80D.17;*" insert "*80D.15;*"

And when so amended H. F. No. 484 will be identical to S. F. No. 398, and further recommends that H. F. No. 484 be given its second reading and substituted for S. F. No. 398, and that the Senate File be indefinitely postponed.

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H. F. No. 567 be amended as follows:

Page 4, line 6, after "*spouse*" insert "*, if the surviving spouse*"

Page 4, line 11, delete "*the surviving spouse*"

Page 4, line 26, delete "*section 354.46,*" and after "*or*" insert "*in section 354.47,*"

Page 4, delete lines 28 and 29

Page 4, line 30, delete everything before "*For*"

Page 5, line 33, delete everything after the period

Page 5, delete lines 34 and 35

Page 5, line 36, delete "member."

Page 7, delete lines 3 to 12 and insert:

"Subd. 3. [REQUIREMENT OF NOTICE TO MEMBER'S SPOUSE.] If a public pension fund provides optional annuity forms which include a joint and survivor optional annuity form potentially applicable to the surviving spouse of a member, 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 23, delete everything after the period

Page 7, delete lines 24 to 28

And when so amended H. F. No. 567 will be identical to S. F. No. 1293, and further recommends that H. F. No. 567 be given its second reading and substituted for S. F. No. 1293, 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 were referred

H. F. Nos. 928, 681, 996, 1059, 1237 and 708 for comparison with companion Senate Files, reports the following House Files were found identical and recommends the House Files be given their second reading and substituted for their companion Senate Files as follows:

GENERAL ORDERS		CONSENT CALENDAR		CALENDAR	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
928	950	1237	1204	708	95
681	974				
996	983				
1059	985				

and that the above Senate Files be indefinitely postponed.

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

SECOND READING OF SENATE BILLS

S. F. Nos. 823, 1259, 1343, 1278, 1248, 1322, 1193 and 1321 were read the second time.

SECOND READING OF HOUSE BILLS

H. F. Nos. 395, 893, 847, 357, 467, 704, 564, 277, 775, 918, 436, 979, 1178, 1080, 1052, 484, 567, 928, 681, 996, 1059, 1237 and 708 were read the

second time.

MOTIONS AND RESOLUTIONS

Mr. Petty moved that the name of Mr. Tennesen be added as co-author to S. F. No. 897. The motion prevailed.

Mr. Stern moved that his name be stricken as co-author to S. F. No. 897. The motion prevailed.

Mr. Merriam introduced—

Senate Resolution No. 55: A Senate resolution proclaiming Minnesota Environmental Awareness Day.

Referred to the Committee on Rules and Administration.

SUSPENSION OF RULES

Without objection, the rules of the Senate were so far suspended as to waive the lie-over requirement on the Calendar.

CALENDAR

S. F. No. 549: A bill for an act relating to elections; clarifying and correcting certain provisions and eliminating certain obsolete provisions of the ethics in government act; amending Minnesota Statutes 1980, Sections 10A.25, Subdivisions 2 and 6; 10A.255, by adding a subdivision; 10A.31, Subdivision 2; 10A.32, Subdivision 3b; and 10A.335; repealing Minnesota Statutes 1980, Section 10A.25, Subdivision 7.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 64 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

S. F. No. 399: A bill for an act relating to drugs; requiring imprinting of legend drugs; amending Minnesota Statutes 1980, Section 151.361.

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 64 and nays 1, as follows:

Those who voted in the affirmative were:

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

Mr. Knutson voted in the negative.

So the bill passed and its title was agreed to.

S. F. No. 314: A bill for an act relating to Ramsey County; simplifying the numbering of the county code; amending Laws 1974, Chapter 435, Articles I to IV, as amended.

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 64 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

S. F. No. 510: A bill for an act relating to arrest; providing for the extradition and rendition of accused persons, escapees and other persons subject to orders in criminal proceedings; enacting the uniform extradition and rendition act; amending Minnesota Statutes 1980, Sections 480.059, Subdivision 7; 611.14; and 629.404, Subdivision 2; proposing new law coded as Minnesota Statutes, Chapter 629A; repealing Minnesota Statutes 1980, Sections 629.01 to 629.29.

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 65 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

S. F. No. 443: A bill for an act relating to commerce; regulating franchises; providing a penalty; amending Minnesota Statutes 1980, Sections 80C.01, Subdivision 4, and by adding subdivisions; 80C.03; 80C.14; 80C.17, by adding a subdivision; 80C.18, Subdivision 2; and 80C.19, Subdivision 1.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 66 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

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

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 46 and nays 19, as follows:

Those who voted in the affirmative were:

Belanger	Frederickson	Lessard	Petty	Stumpf
Berglin	Hanson	Luther	Purfeerst	Taylor
Bertram	Hughes	Menning	Ramstad	Ulland
Chmielewski	Humphrey	Merriam	Schmitz	Vega
Dahl	Johnson	Moe, D. M.	Setzepfandt	Waldorf
Davis	Knoll	Moe, R. D.	Sikorski	Wegener
Dicklich	Kroening	Nelson	Solon	
Dieterich	Kronebusch	Pehler	Spear	
Frank	Langseth	Penny	Stern	
Frederick	Lantry	Peterson, R. W.	Stokowski	

Those who voted in the negative were:

Ashbach	Bernhagen	Keefe	Peterson, C.C.	Rued
Bang	Brataas	Knutson	Peterson, D.L.	Tennessee
Benson	Davies	Lindgren	Pillsbury	Willet
Berg	Engler	Olhoft	Renneke	

So the bill passed and its title was agreed to.

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

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 47 and nays 19, as follows:

Those who voted in the affirmative were:

Belanger	Hanson	Luther	Petty	Stokowski
Berglin	Hughes	Menning	Purfeerst	Stumpf
Bertram	Humphrey	Merriam	Ramstad	Taylor
Chmielewski	Johnson	Moe, D. M.	Schmitz	Ulland
Dahl	Knoll	Moe, R. D.	Setzepfandt	Vega
Davis	Kroening	Nelson	Sieloff	Waldorf
Dicklich	Kronebusch	Olhoft	Sikorski	Wegener
Dieterich	Langseth	Pehler	Solon	
Frederick	Lantry	Penny	Spear	
Frederickson	Lessard	Peterson, R. W.	Stern	

Those who voted in the negative were:

Ashbach	Bernhagen	Frank	Peterson, C.C.	Rued
Bang	Brataas	Keefe	Peterson, D.L.	Tennessee
Benson	Davies	Knutson	Pillsbury	Willet
Berg	Engler	Lindgren	Renneke	

So the bill passed and its title was agreed to.

S. F. No. 595: A bill for an act relating to education; providing for the preparation of a report by the legislative commission on employee relations analyzing current insurance programs available to teachers and other public school employees in Minnesota; amending Minnesota Statutes 1980, Section 3.855, Subdivision 3.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 66 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

S. F. No. 1140: A bill for an act relating to statutory cities; raising the limitation on city contracts which the city manager may make; amending Minnesota Statutes 1980, Section 412.691.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 51 and nays 14, as follows:

Those who voted in the affirmative were:

Ashbach	Engler	Lantry	Peterson, R. W.	Stokowski
Bang	Frederick	Lessard	Petty	Taylor
Belanger	Frederickson	Lindgren	Pillsbury	Tennessee
Benson	Hughes	Menning	Purfeerst	Ulland
Berg	Humphrey	Moe, D. M.	Ramstad	Vega
Berglin	Keefe	Moe, R. D.	Renneke	Waldorf
Bernhagen	Knoll	Nelson	Rued	Wegener
Brataas	Knutson	Pehler	Setzepfandt	
Davies	Kroening	Penny	Sieloff	
Davis	Kronebusch	Peterson, C. C.	Solon	
Dieterich	Langseth	Peterson, D. L.	Stern	

Those who voted in the negative were:

Bertram	Frank	Luther	Schmitz	Stumpf
Chmielewski	Hanson	Merriam	Sikorski	Willet
Dahl	Johnson	Olhoft	Spear	

So the bill passed and its title was agreed to.

S. F. No. 782: A bill for an act relating to St. Louis county; revising the county civil service law; providing for commissioners' pay, provisional appointments, employment of resignees, and treatment of examination errors; amending Laws 1941, Chapter 423, Sections 2, as amended, 5, as amended, 11, 12, and 17.

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 64 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

S. F. No. 1064: A bill for an act relating to crimes; changing certain

penalties and enforcement procedures in the fair campaign practices act; amending Minnesota Statutes 1980, Sections 210A.05, by adding a subdivision; and 210A.37.

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 65 and nays 1, as follows:

Those who voted in the affirmative were:

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

Mr. Tennessen voted in the negative.

So the bill passed and its title was agreed to.

S. F. No. 562: A bill for an act relating to housing; providing statutory warranties on home improvement work; establishing a cause of action for breach of warranty; providing remedies; amending Minnesota Statutes 1980, Sections 327A.01, Subdivisions 5, 8 and by adding subdivisions; 327A.02, by adding a subdivision; 327A.03; 327A.04, Subdivision 2; 327A.05; and 327A.07; proposing new law coded in Minnesota Statutes, Chapter 327A.

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 54 and nays 12, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Ashbach	Berg	Engler	Peterson, C. C.	Sieloff
Bang	Bernhagen	Knutson	Setzepfandt	Willet
Benson	Brataas			

So the bill passed and its title was agreed to.

S. F. No. 368: A bill for an act relating to housing; requiring municipal housing plans to incorporate policies to minimize displacement and encourage citizen participation; encouraging the use of bond proceeds for housing for persons and families of low income; providing that multifamily housing loans may be used to acquire structures for conversion to cooperative ownership; amending Minnesota Statutes 1980, Sections 462C.03, Subdivisions 1 and 2; and 462C.05, Subdivision 1.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 66 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

S. F. No. 671: A bill for an act relating to crimes; conforming the definition of trade secret in the law proscribing theft to the definition of trade secret in the uniform trade secrets act; amending Minnesota Statutes 1980, Section 609.52, Subdivision 1.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 65 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

S. F. No. 1008: A bill for an act relating to courts; tax court; increasing the number of authorized administrative employees; amending Minnesota Statutes

1980, Section 271.02.

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 47 and nays 19, as follows:

Those who voted in the affirmative were:

Ashbach	Hanson	Luther	Pillsbury	Stokowski
Belanger	Hughes	Menning	Purfeerst	Stumpf
Berglin	Humphrey	Merriam	Ramstad	Taylor
Brataas	Keefe	Moe, D. M.	Renneke	Tennessee
Chmielewski	Knoll	Moe, R. D.	Rued	Vega
Dahl	Kroening	Nelson	Schmitz	Waldorf
Davies	Kronebusch	Olhoft	Sieloff	Wegener
Dieterich	Langseth	Penny	Solon	
Frank	Lantry	Peterson, R. W.	Spear	
Frederickson	Lessard	Petty	Stern	

Those who voted in the negative were:

Bang	Bertram	Frederick	Pehler	Sikorski
Benson	Davis	Johnson	Peterson, C. C.	Ulland
Berg	Dicklich	Knutson	Peterson, D. L.	Willet
Bernhagen	Engler	Lindgren	Setzpfandt	

So the bill passed and its title was agreed to.

S. F. No. 378: A bill for an act relating to marriage dissolution; clarifying factors to consider in awarding maintenance; amending Minnesota Statutes 1980, Section 518.552.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 38 and nays 28, as follows:

Those who voted in the affirmative were:

Berglin	Frank	Luther	Ramstad	Tennessee
Brataas	Hanson	Merriam	Schmitz	Ulland
Chmielewski	Humphrey	Moe, D. M.	Sikorski	Vega
Dahl	Johnson	Moe, R. D.	Solon	Waldorf
Davies	Knoll	Pehler	Spear	Wegener
Davis	Kroening	Penny	Stern	Willet
Dicklich	Langseth	Peterson, R. W.	Stokowski	
Dieterich	Lantry	Petty	Stumpf	

Those who voted in the negative were:

Ashbach	Bertram	Knutson	Olhoft	Rued
Bang	Engler	Kronebusch	Peterson, C. C.	Setzpfandt
Belanger	Frederick	Lessard	Peterson, D. L.	Sieloff
Benson	Frederickson	Lindgren	Pillsbury	Taylor
Berg	Hughes	Menning	Purfeerst	
Bernhagen	Keefe	Nelson	Renneke	

So the bill passed and its title was agreed to.

S. F. No. 1047: A bill for an act relating to negligent fires; altering minimum sentences for negligent fires; amending Minnesota Statutes 1980, Section 609.576.

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 66 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

S. F. No. 939: A bill for an act relating to human rights; authorizing injunctions for acts of reprisal; increasing the award of punitive damages; permitting the recovery of damages for mental anguish and suffering; amending Minnesota Statutes 1980, Sections 363.06, Subdivision 4; and 363.071, 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 42 and nays 23, as follows:

Those who voted in the affirmative were:

Belanger	Hanson	Lindgren	Peterson, R. W.	Stokowski
Berglin	Hughes	Luther	Petty	Stumpf
Chmielewski	Humphrey	Merriam	Purfeerst	Tennessee
Dahl	Johnson	Moe, D. M.	Ramstad	Ulland
Davies	Keefe	Moe, R. D.	Setzepfandt	Vega
Davis	Knoll	Nelson	Sikorski	Waldorf
Dicklich	Kroening	Pehler	Solon	
Dieterich	Langseth	Penny	Spear	
Frank	Lantry	Peterson, C. C.	Stern	

Those who voted in the negative were:

Ashbach	Bertram	Knutson	Peterson, D. L.	Taylor
Bang	Brataas	Kronebusch	Pillsbury	Wegener
Benson	Engler	Lessard	Renneke	Willet
Berg	Frederick	Menning	Rued	
Bernhagen	Frederickson	Olhoft	Sieloff	

So the bill passed and its title was agreed to.

S. F. No. 827: A bill for an act relating to arson; prescribing procedures for the investigation of fires by the fire marshal; amending Minnesota Statutes 1980, Sections 299F.08; and 299F.09.

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 65 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

S. F. No. 1150: A bill for an act relating to the interstate compact on juveniles; amending the compact to require the home state to authorize the return of a runaway juvenile and to permit a state in which a juvenile is found to return him to a state in which the juvenile is charged with being a delinquent by reason of a violation of criminal law; amending Minnesota Statutes 1980, Section 260.51.

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 65 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

GENERAL ORDERS

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

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

S. F. Nos. 649, 830, 470, 1104, 98, 1154 and 1002, which the committee recommends to pass.

S. F. No. 227, which the committee recommends to pass with the following

amendment offered by Mr. Davies:

Page 2, line 1, delete “, three members”

Page 2, delete line 2

Page 2, line 3, delete “of the minority caucus,” and delete “three”

Page 2, delete line 4

Page 2, line 5, delete everything before the period and insert “ named by the customary appointing authority in each house”

The motion prevailed. So the amendment was adopted.

S. F. No. 1057, which the committee recommends to pass with the following amendment offered by Mr. Davies:

Page 1, after line 31, insert:

“Sec. 2. Minnesota Statutes 1980, Section 299F.08, is amended to read:
299F.08 [PREMISES, WHEN ENTERED.]

Subdivision 1. [IMMEDIATE ENTRY.] In the performance of the duties imposed by the provisions of this chapter, the state fire marshal, and any of his subordinates, at all times of day or night may enter upon and examine during and within a reasonable time after a fire has been extinguished, may enter any building or premises where a fire has occurred and other buildings and premises adjoining or near thereto to investigate and gather evidence. In determining whether a search is reasonable within the meaning of this subdivision, the need for investigatory search for the cause of the fire shall be balanced against the privacy rights of the occupant or owner of the building or premises.

Subd. 2. [ADMINISTRATIVE SEARCH WARRANT.] After the reasonable time prescribed by subdivision 1 for an investigatory search has expired, subsequent entries to the building or premises to investigate and gather evidence may be made only if there is consent from the owner or occupant of the building or premises or pursuant to an administrative search warrant issued by a judge.

In determining whether to issue an administrative search warrant for the purposes of this subdivision, the judge, in conforming his decision to constitutional doctrine governing warrant procedures for administrative searches, shall consider but not be limited to the following factors:

- (a) Scope of the proposed search;
- (b) Number of prior entries by fire officials;
- (c) Time of day when the search is proposed to be made;
- (d) Lapse of time since the fire;
- (e) Continued use of the building; and

(f) The owner's or occupant's efforts to secure the building against intruders.

Subd. 3. [CRIMINAL SEARCH WARRANT.] If during the course of an investigatory search under an administrative search warrant issued in accordance with subdivision 2, the fire marshal or any of his subordinates find

probable cause to believe arson has occurred and require further access to the building or premises to gather evidence for possible prosecution, a criminal search warrant must be obtained from a judge.

Sec. 3. Minnesota Statutes 1980, Section 299F.09, is amended to read:

299F.09 [BUILDINGS, ENTERED WITHIN REASONABLE HOURS.]

The state fire marshal, his chief assistant, deputies, and subordinates, the chief of the fire department of each city where a fire department is established, the mayor of a city where no fire department exists, or the clerk of a town in territory without the limits of a city, at all reasonable hours may enter into all buildings and upon all premises within their jurisdiction for the purpose of examination, *after proper consent from the occupant or owner or pursuant to an administrative search warrant. If the examination occurs subsequent to a fire, entry into a building or premise is governed by section 299F.08.*"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 4, after the semicolon, insert "prescribing procedures for the investigation of fires;"

Page 1, line 10, after "1;" insert "299F.08; 299F.09;"

The motion prevailed. So the amendment was adopted.

S. F. No. 73, which the committee recommends to pass with the following amendments offered by Messrs. Pehler and Wegener:

Mr. Pehler moved to amend S. F. No. 73 as follows:

Page 6, line 27, strike "shall include"

Page 6, line 28, strike "any properties, real or personal,"

Page 6, line 29, strike "used or useful for"

Page 6, strike line 30

Page 6, line 31, strike "include" and insert "includes"

Page 6, after line 35, insert:

"The term 'project' also includes any properties real or personal located outside the metropolitan area defined in section 473.122, used or useful for the promotion of tourism in the state."

The motion prevailed. So the amendment was adopted.

Mr. Wegener moved to amend S. F. No. 73 as follows:

Page 5, line 18, strike "purchaser" and insert "underwriter"

Page 8, line 4, after "notes" strike "shall"

The motion prevailed. So the amendment was adopted.

S. F. No. 464, which the committee recommends to pass with the following amendments offered by Mr. Davies:

Mr. Davies moved to amend S. F. No. 464 as follows:

Page 3, line 18, delete "registered or"

Page 4, line 34, delete "registered or"

Page 5, line 22, delete "*presumed delivered*" and insert "*effective*"

Page 6, line 12, delete everything after the period

Page 6, line 13, delete "*the area where the self-service storage facility is located.*"

The motion prevailed. So the amendment was adopted.

Mr. Davies then moved to amend S.F. No. 464 as follows:

Page 3, line 36, before the period, insert "*, and not in connection with real estate rented or leased to the occupant for any residential purpose?*"

The motion prevailed. So the amendment was adopted.

On motion of Mr. Stern, 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. Pehler, Johnson, Merriam, Moe, D.M. and Ulland introduced—

S.F. No. 1363: A bill for an act relating to taxation; delayed assessment of value added by restoration, preservation, and rehabilitation of historically designated buildings; proposing new law coded in Minnesota Statutes, Chapter 273.

Referred to the Committee on Taxes and Tax Laws.

Mr. Chmielewski introduced—

S.F. No. 1364: A bill for an act relating to local government; providing for the separation of the city and town of Sturgeon Lake.

Referred to the Committee on Local Government and Urban Affairs.

Messrs. Davis, Dicklich and Solon introduced—

S.F. No. 1365: A bill for an act relating to education; transferring developmental achievement centers from the department of public welfare to the state board of education; appropriating money; amending Minnesota Statutes 1980, Sections 123.39, Subdivision 13; 256E.03, Subdivision 2; and 256E.06, Subdivision 2; proposing new law coded in Minnesota Statutes, Chapter 120; repealing Minnesota Statutes 1980, Sections 252.21 to 252.261.

Referred to the Committee on Education.

Messrs. Pehler and Davis introduced—

S.F. No. 1366: A bill for an act relating to data processing by certain public bodies; establishing the Minnesota state data processing board; prescribing its powers and duties; appropriating money; amending Minnesota Statutes 1980, Sections 10A.01, Subdivision 18; 16.90, Subdivision 4; 16.911, Subdivision 2; 16.94; 16.95; proposing new law coded as Minnesota Statutes, Chapter

16B; repealing Minnesota Statutes 1980, Sections 16.90, Subdivision 1; 16.91; and 16.955.

Referred to the Committee on Governmental Operations.

Mr. Dieterich introduced—

S.F. No. 1367: A bill for an act relating to taxation; suspending the taxable net income brackets inflation adjustments; imposing an income tax surcharge on individuals; imposing an additional withholding tax.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Bang, Stern, Belanger, Davies and Luther introduced—

S.F. No. 1368: A bill for an act relating to charitable organizations; providing for registration and reporting requirements applicable to certain charitable organizations; amending Minnesota Statutes 1980, Sections 309.52, by adding subdivisions; 309.53, by adding subdivisions; 309.532, by adding a subdivision; and 309.534, by adding a subdivision.

Referred to the Committee on Judiciary.

Messrs. Johnson, Merriam, Willet and Dicklich introduced—

S.F. No. 1369: A bill for an act relating to taxation; imposing a tax on the gross receipts from sales of petroleum products; amending Minnesota Statutes 1980, Section 271.01, Subdivision 5; proposing new law coded as Minnesota Statutes, Chapter 295A.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Stern; Peterson, R.W.; Hanson; Moe, R.D. and Ashbach introduced—

S.F. No. 1370: A resolution declaring Raoul Wallenberg to be an honorary citizen of the State of Minnesota and memorializing the Union of Soviet Socialist Republics to return him to his native country.

Referred to the Committee on Rules and Administration.

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

MOTIONS AND RESOLUTIONS

Mr. Merriam moved that H. F. No. 886 be withdrawn from the Committee on Judiciary and re-referred to the Committee on Rules and Administration for comparison with S. F. No. 1277, now on General Orders. The motion prevailed.

Mr. Chmielewski moved that H. F. No. 396 be taken from the table. The motion prevailed.

H. F. No. 396: A bill for an act relating to the military; requiring the adjutant general to furnish an American flag upon request of the person disposing of the remains of a deceased person who served six years or more in the Minnesota

national guard; proposing new law coded in Minnesota Statutes, Chapter 192.

Mr. Chmielewski moved that the Senate accede to the request of the House for a Conference Committee on H. F. No. 396, and that a Conference Committee of 3 members be appointed by the Subcommittee on Committees on the part of the Senate, to act with a like Conference Committee appointed on the part of the House. The motion prevailed.

Mr. Moe, R.D. moved that the Senate do now adjourn until 9:00 a.m., Monday, April 27, 1981. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate