

FORTY-SECOND DAY

St. Paul, Minnesota, Tuesday, April 28, 1981

The Senate met at 9:00 a.m. and was called to order by the President.

Prayer was offered by the Chaplain, Rev. Winfield V. Johnson.

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	Frederick	Lindgren	Pillsbury	Taylor
Berg	Frederickson	Luther	Purfeerst	Tennessen
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	Olhoff	Sieloff	
Davies	Knutson	Pehler	Sikorski	
Davis	Kroening	Penny	Solon	
Dicklich	Kronebusch	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.

MEMBERS EXCUSED

Mr. Sieloff was excused from the Session of today from 9:00 a.m to 12:00 noon. Mrs. Lantry was excused from the Session of today from 4:15 to 7:30 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. 200, 353, 372 and 741.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned April 27, 1981

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, AS AMENDED by the House, in which amendments the concur-

rence of the Senate is respectfully requested:

S. F. No. 225: A bill for an act relating to labor; regulating certain charges to persons earning the minimum wage; amending Minnesota Statutes 1980, Section 177.24, by adding subdivisions.

Senate File No. 225 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned April 27, 1981

Mr. Moe, R.D. moved that S. F. No. 225 be laid on the table. The motion prevailed.

Mr. President:

I have the honor to announce the adoption by the House of the following Senate Concurrent Resolution, herewith returned:

Senate Concurrent Resolution No. 6: A Senate concurrent resolution commemorating the victims of the Holocaust, honoring the survivors, and proclaiming the week of April 26 to May 3 as Minnesota Days of Holocaust Remembrance.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned April 27, 1981

Mr. President:

I have the honor to announce the passage by the House of the following House Files, herewith transmitted: H. F. Nos. 582, 1344 and 1443.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted April 27, 1981

FIRST READING OF HOUSE BILLS

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

H. F. No. 582: A bill for an act relating to natural resources; regulating the use of state funded trails; providing a penalty; amending Minnesota Statutes 1980, Section 84.90, Subdivision 4; proposing new law coded in Minnesota Statutes, Chapter 85.

Referred to the Committee on Rules and Administration for comparison with S. F. No. 285, now on General Orders.

H. F. No. 1344: A bill for an act relating to education; authorizing school boards to permit certain persons to enroll in classes and programs at a secondary school; providing for class fees in certain circumstances; prohibiting districts from counting certain persons enrolled in classes and programs for the purposes of state aid; authorizing districts to provide transportation; increasing the administration fee when senior citizens attend classes at higher education institutions; amending Minnesota Statutes 1980, Sections 123.35, by adding subdivisions; 123.39, by adding a subdivision; and 136A.81, Subdivision 1.

Referred to the Committee on Rules and Administration for comparison with

S. F. No. 861, now on General Orders.

H. F. No. 1443: A bill for an act relating to the organization and operation of state government; appropriating money for the general legislative, judicial, and administrative expenses of state government with certain conditions; providing for the transfer of certain moneys in the state treasury; authorizing land acquisition in certain cases; fixing and limiting the amount of fees to be collected in certain cases; amending Minnesota Statutes 1980, Sections 3.005, Subdivision 3; 3.304, by adding a subdivision; 4.16, by adding subdivisions; 5.08, Subdivision 2; 9.061, Subdivision 5; 11A.20, Subdivision 3; 16A.123; 17.59, by adding a subdivision; 17A.04, Subdivision 5; 17B.15, Subdivision 1; 18.51, Subdivision 2; 18.52, Subdivision 5; 18.54, Subdivision 1; 19.19, Subdivisions 1 and 2; 19.20, Subdivision 4; 27.041, Subdivision 2; 28A.08; 32.075; 32.59; 43.46, Subdivisions 2 and 3; 85.05, Subdivisions 1 and 2; 85.22, Subdivision 2a; 97.49, Subdivision 1; 98.46, Subdivisions 2, 2a, 3, 4, 5, 5a, 6, 7, 8, 9, 9a, 10, 11, 12, 14, 15, 16, 17, 18, 19 and by adding a subdivision; 98.47, Subdivision 1; 98.50, Subdivision 5; 99.28, Subdivision 5; 100.273, Subdivision 7; 100.35, Subdivisions 1 and 5; 101.44; 116C.69, Subdivisions 2 and 2a; 139.16; 139.17; 139.18; 139.19; 176.131, Subdivision 10; 176.183, Subdivision 2; 179.71, Subdivision 2; 179.72, Subdivision 3; 223.03; 223.12, Subdivision 1; 231.16; 232.02, Subdivisions 1, 2, and 3; 233.08; 270.66; 271.02; 284.28, Subdivision 8; 290.431; 299A.03, Subdivisions 1, 8 and 13; 322A.16; 322A.71; 352E.04; 354.43, Subdivision 3; 362.10; 362.12, Subdivisions 1a and 2; 362.121; 362.125; 362.13; 480.0595; 546.27; 638.08; and 648.39; Laws 1976, Chapter 337, Section 1, Subdivisions 2, as amended, 3, and 4, as amended; Laws 1978, Chapter 510, Sections 2 and 5; proposing new law coded in Minnesota Statutes, Chapters 85; 116H; 270; 299A; and 362; repealing Minnesota Statutes 1980, Sections 7.07; 16A.75; 16A.751; 16A.752; 16A.753; 16A.754; 168B.11; 299A.03, Subdivisions 1, 2, 3, 5, 6, 7, 9, 10, 11 and 14; 362.07; 362.08; 362.09; 362.11; 362.12, Subdivisions 3 and 4; 362.23; 362.45, Subdivision 2; 363.073, Subdivisions 1 and 2; 473.56, Subdivision 15; 648.45; 648.46; Laws 1976, Chapter 337, Section 4, as amended; and Laws 1978, Chapter 510, Section 10.

Referred to the Committee on Finance.

REPORTS OF COMMITTEES

Mr. Moe, R.D. moved that the Committee Reports at the Desk be now adopted, with the exception of the reports on H. F. Nos. 312 and 353 and reports pertaining to appointments. The motion prevailed.

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

S. F. No. 415: A bill for an act relating to waters; requiring posting and publication of notice of aeration operations by a municipality or political subdivision; establishing a presumption of due care; proposing new law coded in Minnesota Statutes, Chapter 378.

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

Delete everything after the enacting clause and insert:

“Section 1. [378.22] [WATER AERATION SAFETY.]

Subdivision 1. [WARNING SIGNS.] Any permittee operating an aeration system on public waters within the state shall comply with the sign posting requirements of this section and applicable rules and orders of the commissioner of natural resources.

Subd. 2. [POSTING REQUIREMENTS.] Where an aeration system is used on the ice of public waters, signs shall be posted by the permittee at a height of from four to six feet in a rectangular pattern at each corner of the open water, with at least two additional signs between the corner signs on any side exceeding 100 feet in length. Additional signs shall be posted by the permittee on the shoreline of the public waters at each public access point. The signs shall comply with the applicable order of the commissioner of natural resources.

Subd. 3. [PUBLICATION OF NOTICE.] Advance public notice of the commencement of any aeration system, authorized by a permit from the commissioner of natural resources during periods of ice cover on public waters, shall be given by the permittee. Minimum notice shall consist of publication of the location and date of commencement of the system in a newspaper of general circulation in the area where the system is proposed to be operated at least two times between five and 20 days prior to commencement.

Subd. 4. [EVIDENCE.] In any action for negligence arising out of the conduct of aeration operations authorized by a permit from the commissioner of natural resources during periods of ice cover on public waters, evidence of compliance with the posting and publication requirements of this section and applicable rules, orders and permit provisions of the commissioner of natural resources shall be prima facie evidence of the exercise of due care by the permittee."

Amend the title as follows:

Page 1, line 3, delete "municipality or"

Page 1, line 4, delete "political subdivision" and insert "permittee of the commissioner of natural resources"

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. 177: A bill for an act relating to foods; directing the establishment of labeling and grading requirements for domestically grown wild rice by the commissioner of agriculture; providing a penalty; proposing new law coded in Minnesota Statutes, Chapter 30.

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

Delete everything after the enacting clause and insert:

"Section 1. [30.49] [PADDY GROWN WILD RICE.]

All wild rice which is planted or cultivated and which is offered for wholesale or retail sale in this state shall be plainly and conspicuously labeled as "paddy grown" in letters of a size and form prescribed by the commissioner. Any person who sells wild rice at wholesale or retail which is not labeled as

required by this section is guilty of a misdemeanor.

Sec. 2. [EFFECTIVE DATE.]

This act is effective January 1, 1982."

Amend the title as follows:

Page 1, line 3, delete "and grading"

Page 1, line 3, delete "domestically"

Page 1, line 4, delete "grown"

Page 1, line 4, delete everything after "rice" and insert "which is planted or cultivated;"

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

H. F. No. 312: A bill for an act relating to agriculture; requiring the commissioner of agriculture to examine fluid milk and milk product marketing and packaging; repealing the prohibition on the sale of milk in non-returnable plastic containers; proposing new law coded in Minnesota Statutes, Chapter 32; repealing Minnesota Statutes 1980, Sections 116F.21 and 116F.22.

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

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

S. F. No. 980: A bill for an act relating to state lands; providing for the transfer of certain lands to the city of Hastings.

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

Delete everything after the enacting clause and insert:

"Section 1. [HASTINGS; LEASE OF STATE LAND.]

Notwithstanding the provisions of Minnesota Statutes, Section 16.02, Subdivision 14, the commissioner of administration shall lease to the city of Hastings for a term not to exceed 25 years that part of the S 1/2 of the NE 1/4 and the N 1/2 of the SE 1/4 of Section 34, Township 115, Range 17 that is required by the city for public and recreational purposes and owned by the state of Minnesota. The actual area leased shall be agreed upon by the city and the commissioner and may not exceed 48 acres. The attorney general shall provide appropriate documents for the lease with an accurate legal description of the subject property. The lease shall require the city to maintain the property in a manner that accommodates the needs of adjoining or nearby state property.

Sec. 2. [EFFECTIVE DATE.]

This act is effective the day following final enactment."

Amend the title as follows:

Page 1, line 2, delete "transfer" and insert "lease"

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

H. F. No. 562: A bill for an act relating to agriculture; regulating fertilizers and soil and plant amendments; providing a penalty; amending Minnesota Statutes 1980, Sections 17.711; 17.713; 17.714; 17.716, by adding subdivisions; 17.717, Subdivisions 4, 5 and by adding a subdivision; 17.718, Subdivision 1; 17.719; 17.72; 17.721; 17.722; 17.723; 17.725; 17.726; 17.727; 17.728, Subdivision 1; 17.729; repealing Minnesota Statutes 1980, Section 17.717, Subdivision 2.

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

Page 4, line 25, delete "*sewage sludge and sewage effluents,*"

Page 6, line 10, delete "AND SEWAGE EFFLUENTS"

Page 6, line 13, delete everything after "*plant*"

Page 6, line 14, delete "*disposal facility*"

Page 6, line 16, after the period, insert "*Sewage sludge is not a commercial fertilizer, fertilizer material, manipulated manure, plant amendment or soil amendment unless the sewage sludge meets the criteria for one of those categories and is offered for retail sale in packages.*"

Page 8, line 25, delete "*of proof*" and insert "*to substantiate claims*"

Page 8, line 28, delete "*proof*" and insert "*evidence*"

Page 8, line 29, delete "*proof*" and insert "*evidence*"

Page 8, line 31, delete "*proof*" and insert "*evidence*"

Page 8, line 35, delete "*is not sufficient proof of*" and insert "*does not substantiate*"

Page 8, line 36, delete "*she or he*" and insert "*the commissioner*"

Page 9, line 8, delete "*she or he*" and insert "*the commissioner*"

Page 9, line 12, delete "*she or he*" and insert "*the commissioner*"

Page 13, line 19, after "*act*" insert "*(Public Law 92-516)*"

Page 13, line 20, before "*is*" insert "*Subdivision 1,*"

Page 13, delete line 22

Page 14, delete lines 2 to 4

Amend the title as follows:

Page 1, line 7, after "17.721" insert ", Subdivision 1"

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. 410: A bill for an act relating to public welfare; authorizing the commissioner of public welfare to designate the county of financial responsibility for patients transferred under the Interstate Compact on Mental Health who are not residents of Minnesota; amending Minnesota Statutes 1980, Section 245.52.

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

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

S. F. No. 1317: A bill for an act relating to health; changing the claim limitations on cost of removing nuisances; authorizing the commissioner of health to issue orders concerning well water quality; clarifying the commissioner's authority over water wells and exploratory boring to include repairs and abandonment; changing the penalties for violations; amending Minnesota Statutes 1980, Sections 145.22; 156A.02, Subdivisions 1, 2, and 3; 156A.03, Subdivisions 1 and 2; 156A.05; 156A.07, Subdivisions 1 and 4; and 156A.08.

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. 1070: A bill for an act relating to health; exempting students in schools of dental assisting from the requirement of a dental license; amending Minnesota Statutes 1980, Section 150A.05, Subdivision 2.

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

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

S. F. No. 1076: A bill for an act relating to natural resources; raising limitations on values of state timber which may be sold at public auction or informal sale; providing for special auction sales and changing certain other provisions relating to the sale and removal of state timber; amending Minnesota Statutes 1980, Sections 90.031, Subdivision 4; 90.101, Subdivision 1; 90.151, Subdivisions 11 and 13; 90.173; 90.181, Subdivision 2; 90.191, Subdivision 1; proposing new law coded in Minnesota Statutes, Chapter 90.

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

Page 1, line 20, after "\$18,000" insert "*in appraised value*".

Page 1, line 21, before "rules" insert "*the*"

Page 1, after line 22, insert:

"Sec. 2. Minnesota Statutes 1980, Section 90.041, is amended by adding a subdivision to read:

Subd. 4. In May of each year the commissioner shall hold a public meeting in each forest area to inform the public of the manner in which the cutting list for that area for the next fiscal year is proposed to be allocated between informal, intermediate and regular auction sales. The public shall be afforded an opportunity to provide written and oral comments concerning the proposed allocation."

Page 2, line 8, delete "SPECIAL" and insert "INTERMEDIATE"

Page 2, line 9, delete "\$7,500" and insert "\$6,000"

Pages 2 and 3, paragraph the clauses of section 3 and capitalize the first word of each clause

Page 2, line 15, delete "district"

Page 2, line 15, delete "nearest the county in which" and insert "or other public facility accessible to potential bidders or close to where"

Page 2, line 17, delete "may" and insert "shall"

Page 2, line 18, delete "15" and insert "30"

Page 2, line 19, delete "15" and insert "30"

Page 2, line 20, delete "may" and insert "shall"

Page 2, line 22, after the comma, delete "a"

Page 2, line 23, delete "successful" and insert "no"

Page 2, line 23, delete "at least one tract but not"

Page 2, line 25, after the first "sale" insert "unless fewer than four tracts are offered, in which case not more than one tract shall be awarded to one bidder"

Page 2, line 25, delete "successful"

Page 2, line 27, after "bidding;" insert "any tract not sold shall be available for a period of 90 days for purchase by persons eligible under this section at the appraised value;"

Page 2, delete lines 28 and 29

Page 2, line 30, delete everything before "before" and insert "(5) the bond or deposit required pursuant to section 90.161 or 90.173 shall be given or deposited"

Page 2, line 34, delete "must" and insert "shall"

Page 3, line 2, delete "or to a person"

Page 3, line 3, delete "having more than 25 employees"

Page 3, line 4, after the semicolon, insert "(9) no sale may be made to a person having more than 25 employees;"

Page 3, line 4, delete "(9)" and insert "(10)"

Page 3, line 8, after "permit" insert "without interest, and one additional extension of one year with interest"

Page 3, line 8, delete "(10)" and insert "(11)"

Page 3, line 23, delete "2" and insert "4"

Page 3, line 24, delete "2" and insert "4"

Page 4, line 4, delete "*not less than*"

Page 4, after line 9, insert:

"Sec. 7. Minnesota Statutes 1980, Section 90.161, Subdivision 1, is amended to read:

Subdivision 1. Except as otherwise provided by law the purchaser of any state timber, before any timber permit to him shall become effective for any purpose, shall within 90 days from the date of purchase give a good and valid bond to the state of Minnesota equal to the value of all timber covered or to be covered by the permit, as shown by the sale price bid therefor and the appraisal report thereof as to quantity, *less the amount of any payment pursuant to section 90.14*, which bond shall be conditioned upon the faithful performance by the purchaser and his successors in interest of all the terms and conditions of the permit and all requirements of law in respect to such sales; and the bond shall be approved in writing by the commissioner and filed for record in his office."

Page 4, line 20, after the comma, insert "*or an irrevocable bank letter of credit,*"

Page 4, line 32, before the period, insert "*and shall bear interest at the rate determined pursuant to section 549.09 if not returned within 30 days from the date of the default*"

Page 4, after line 35, insert:

"*When cash is deposited for a bond, it shall be applied to the amount due when a statement is prepared and transmitted to the permit holder pursuant to section 90.181. Any balance due to the state shall be shown on the statement and shall be paid as provided in section 90.181. Any amount of the deposit in excess of the amount determined to be due pursuant to section 90.181 shall be returned to the permit holder when a final statement is transmitted pursuant to that section. All or part of a cash bond may be withheld from application to an amount due on a nonfinal statement if it appears that the total amount due on the permit will exceed the bid price.*"

Page 5, line 4, strike "of" and delete "*not less than eight*"

Page 5, line 5, strike "percent per annum from date" and insert "*determined pursuant to section 549.09*"

Page 5, line 33; strike "individual" and insert "*person*"

Page 6, line 4, delete "*persons*" and insert "*partners*"

Page 6, line 5, delete "*with that partnership*"

Page 6, line 6, after the comma, insert "*of which*" and delete "*whose*" and insert "*the*"

Page 6, line 7, delete "*or spouses or estates of persons*"

Page 6, line 9, after "law" insert "*or their spouses or estates*"

Page 6, delete lines 14 and 15 and insert:

"Sec. 11. Minnesota Statutes 1980, Section 282.04, Subdivision 1, is amended to read:

Subdivision 1. [TIMBER SOLD FOR CASH.] The county auditor may sell ~~dead, down and mature~~ timber upon any tract that may be approved by the natural resources commissioner. Such sale of timber products shall be made for cash at not less than the appraised value determined by the county board to the highest bidder after not less than one week's published notice in an official paper within the county. Any timber offered at such public sale and not sold may thereafter be sold at private sale by the county auditor at not less than the appraised value thereof, until such time as the county board may withdraw such timber from sale. The appraised value of the timber and the forestry practices to be followed in the cutting of said timber shall be approved by the commissioner of natural resources. Payment of the full sale price of all timber sold on tax-forfeited lands shall be made in cash at the time of the timber sale. The county board may require final settlement on the basis of a scale of cut products. Any parcels of land from which timber is to be sold by scale of cut products shall be so designated in the published notice of sale above mentioned, in which case the notice shall contain a description of such parcels, a statement of the estimated quantity of each species of timber thereon and the appraised price of each species of timber for 1,000 feet, per cord or per piece, as the case may be. In such cases any bids offered over and above the appraised prices shall be by percentage, the percent bid to be added to the appraised price of each of the different species of timber advertised on the land. The purchaser of timber from such parcels shall pay in cash at the time of sale at the rate bid for all of the timber shown in the notice of sale as estimated to be standing on the land, and in addition shall pay at the same rate for any additional amounts which the final scale shows to have been cut or was available for cutting on the land at the time of sale under the terms of such sale. Where the final scale of cut products shows that less timber was cut or was available for cutting under terms of such sale than was originally paid for, the excess payment shall be refunded from the forfeited tax sale fund upon the claim of the purchaser, to be audited and allowed by the county board as in case of other claims against the county. No timber, except hardwood pulpwood, may be removed from such parcels of land or other designated landings until scaled by a person or persons designated by the county board and approved by the commissioner of natural resources. Landings other than the parcel of land from which timber is cut may be designated for scaling by the county board by written agreement with the purchaser of the timber. The county board may, by written agreement with the purchaser and with a consumer designated by him when the timber is sold by the county auditor, and with the approval of the commissioner of natural resources, accept the consumer's scale of cut products delivered at the consumer's landing. No timber shall be removed until fully paid for in cash. Small amounts of ~~green standing, dead, downlying, insect infected or diseased~~ timber not exceeding \$1,500 \$3,000 in appraised valuation may be sold for not less than the full appraised value at private sale to individual persons without first publishing notice of sale or calling for bids, provided that in case of such sale involving a total appraised value of more than \$200 the sale shall be made subject to final settlement on the basis of a scale of cut products in the manner above provided and not more than two such sales, directly or indirectly to any individual shall be in effect at one time. As directed by the county board, the county auditor may lease tax-forfeited land to individuals, corporations or

organized subdivisions of the state at public or private vendue, and at such prices and under such terms as the county board may prescribe, for use as cottage and camp sites and for agricultural purposes and for the purpose of taking and removing of hay, stumpage, sand, gravel, clay, rock, marl, and black dirt therefrom, and for garden sites and other temporary uses provided that no leases shall be for a period to exceed ten years; provided, further that any leases involving a consideration of more than \$300 per year, except to an organized subdivision of the state shall first be offered at public sale in the manner provided herein for sale of timber. Upon the sale of any such leased land, it shall remain subject to the lease for not to exceed one year from the beginning of the term of the lease. Any rent paid by the lessee for the portion of the term cut off by such cancellation shall be refunded from the forfeited tax sale fund upon the claim of the lessee, to be audited and allowed by the county board as in case of other claims against the county. The county auditor, with the approval of the county board is authorized to grant permits, licenses, and leases to tax-forfeited lands for the depositing of stripping, lean ores, tailings, or waste products from mines or ore milling plants, upon such conditions and for such consideration and for such period of time, not exceeding 15 years, as the county board may determine; said permits, licenses, or leases to be subject to approval by the commissioner of natural resources. Any person who removes any timber from tax-forfeited land before said timber has been scaled and fully paid for as provided in this subdivision is guilty of a misdemeanor. The county auditor may, with the approval of the county board and the commissioner of natural resources, and without first offering at public sale, grant leases, for a term not exceeding 25 years, for the removal of peat from tax-forfeited lands upon such terms and conditions as the county board may prescribe.

Provided, however, that no lease for the removal of peat shall be made by the county auditor pursuant to this section without first holding a public hearing on his intention to lease. One printed notice in a legal newspaper in the county at least ten days before the hearing, and posted notice in the courthouse at least 20 days before the hearing shall be given of the hearing.

Sec. 12. [EXTENSION OF CERTAIN PERMITS.]

The commissioner of natural resources may extend, for an additional period of not to exceed one year, any timber permit issued pursuant to Minnesota Statutes, Section 90.191, which expires during 1981. This extension shall be in addition to any extension previously granted pursuant to section 90.191, shall be made without additional charge, and shall otherwise be subject to the requirements of section 90.191.

Sec. 13. [EFFECTIVE DATE.]

Sections 2 and 12 are effective the day following final enactment. The remaining sections of this act are effective July 1, 1981."

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 4, delete "special" and insert "intermediate"

Page 1, line 6, after the semicolon, insert "permitting extension of certain timber permits;"

Page 1, line 8, after "4;" insert "90.041, by adding a subdivision;"

Page 1, line 9, after "13;" insert "90.161, Subdivision 1;"

Page 1, line 10, after "1;" insert "282.04, Subdivision 1;"

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

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

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

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

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

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

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

Page 1, delete lines 10 to 21

Page 1, line 22, delete "Subd. 2" and insert "Subdivision 1"

Page 1, line 24, delete "includes, without limitation," and insert "means"

Page 2, line 1, delete "livestock" and insert "dairy"

Page 2, line 1, after "products" and before the semicolon insert ", but not a facility primarily engaged in processing agricultural products"

Page 2, line 3, delete "physical"

Page 2, line 4, delete "facilities of the"

Page 2, line 4, delete "are" and insert "is"

Page 2, line 9, delete everything after "operation" and insert a period

Page 2, delete lines 10 and 11

Page 2, line 19, delete "five" and insert "six"

Page 2, line 22, delete "when a nuisance" and insert "to a condition or injury which"

Page 2, line 23, delete the second "or"

Page 2, line 25, delete "public" and insert "the"

Page 2, line 25, delete the period

Page 2, delete lines 26 to 29 and insert "*of any person; (c) to the pollution*"

Page 2, line 30, delete "a"

Page 2, line 31, delete "*on account of*"

Page 2, line 31, delete "a" and insert "any"

Page 2, line 31, delete the comma

Page 2, delete lines 32 and 33

Page 2, line 34, delete everything before "*to*" and insert ";; *or (d)*"

Page 3, line 1, delete everything after "*contracts*"

Page 3, line 2, delete everything before "*the*" and insert "*or commitments made before*"

Page 3, after line 10, insert:

"*Subd. 5. [APPLICATION; LOCAL APPROVAL.] This section does not apply to a county in which a resolution of the county board disapproving the application of the section to that county is in effect.*"

Renumber the subdivisions in sequence

Page 3, line 12, delete "*becomes*" and insert "*is*"

Page 3, line 12, delete "*one year following final*"

Page 3, line 13, delete "*enactment*" and insert "*June 1, 1982,*"

Page 3, line 13, after "*affect*" insert "*legal*"

Page 3, line 14, delete "*day*" and insert "*date*"

Amend the title as follows:

Page 1, line 4, after the semicolon, insert "*limiting application of the law to counties which approve it;*"

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

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

S. F. No. 1243: A bill for an act relating to handicapped persons; providing that certain social services be available to recipients of attendant care; proposing new law coded in Minnesota Statutes, Chapter 256C.

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

Page 1, line 11, after "*services*" insert "*as needed*"

Page 1, line 11, after "*receiving*" insert "*care through the*"

Page 1, line 11, after "*care*" insert "*program*"

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

adopted.

Mr. Merriam from the Committee on Agriculture and Natural Resources, to which were referred the following appointments as reported in the Journal for March 23, 1981:

ENVIRONMENTAL EDUCATION BOARD

Roger O. Norman
Dr. Paul O. Walker
Julia W. Copeland

MINNESOTA POLLUTION CONTROL AGENCY

Cynthia C. Jepsen
Lois West

Reports the same back with the recommendation that the appointments 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. 54, 588 and 889 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.
54	392				
588	308				
889	1223				

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H. F. No. 54 be amended as follows:

Page 2, line 8, after "*be*" insert "*sealed and*"

And when so amended H. F. No. 54 will be identical to S. F. No. 392, and further recommends that H. F. No. 54 be given its second reading and substituted for S. F. No. 392, and that the Senate File be indefinitely postponed.

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H. F. No. 588 be amended as follows:

Page 2, delete lines 2 to 7

And when so amended H. F. No. 588 will be identical to S. F. No. 308, and further recommends that H. F. No. 588 be given its second reading and substituted for S. F. No. 308, and that the Senate File be indefinitely postponed.

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H. F. No. 889 be amended as follows:

Page 2, line 2 to page 3, line 7, delete sections 2 and 3

Page 3, line 8, delete "4" and insert "2"

Amend the title as follows:

Page 1, lines 4 and 5, delete "providing for licensing of thermal exchange devices;"

Page 1, lines 6 and 7, delete "Sections 156A.02, by adding a subdivision; and" and insert "Section"

And when so amended H. F. No. 889 will be identical to S. F. No. 1223, and further recommends that H. F. No. 889 be given its second reading and substituted for S. F. No. 1223, 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. 659 and 1218 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.
659	779				
1218	1287				

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. 415, 177, 980, 1317, 1076 and 1243 were read the second time.

SECOND READING OF HOUSE BILLS

H. F. Nos. 562, 410, 1070, 54, 588, 889, 659 and 1218 were read the second time.

MOTIONS AND RESOLUTIONS

Mr. Chmielewski moved that the name of Mr. Peterson, C.C. be added as co-author to S. F. No. 581. The motion prevailed.

Mr. Pillsbury moved that his name be stricken as chief author, shown as co-author and Mr. Penny be added as chief author to S. F. No. 742. The motion prevailed.

Mr. Solon moved that the name of Mrs. Brataas be added as co-author to S. F. No. 1012. The motion prevailed.

Mr. Chmielewski moved that the name of Mr. Peterson, C.C. be added as

co-author to S. F. No. 1281. The motion prevailed.

Messrs. Bang, Belanger and Lindgren introduced—

Senate Resolution No. 56: A Senate resolution extending congratulations to Lee Sundet for being named "Small Business Person of the Year" for Minnesota.

Referred to the Committee on Rules and Administration.

RECESS

Mr. Moe, R.D. moved that the Senate do now recess subject to the call of the President. The motion prevailed.

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

APPOINTMENTS

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

S. F. No. 145: Messrs. Frederick, Wegener and Olhoft.

H. F. No. 396: Messrs. Schmitz, Taylor and Chmielewski.

Mr. Moe, R.D. moved that the foregoing appointments be approved. The motion prevailed.

GENERAL ORDERS

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

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

S. F. Nos. 1122, 445, 373 and H. F. Nos. 258, 168, 371, 1059 and 98, which the committee recommends to pass.

H. F. No. 413, which the committee recommends to pass with the following amendment offered by Mr. Merriam:

Amend H. F. No. 413, as amended pursuant to Rule 49, adopted by the Senate April 14, 1981, as follows:

(The text of the amended House File is identical to S.F. No. 516.)

Page 1, line 23, strike "such" and insert "the"

Page 1, line 26, after "4." insert "[DISCLOSURE.]"

The motion prevailed. So the amendment was adopted.

H. F. No. 449, which the committee recommends to pass with the following amendment offered by Mr. Dicklich:

Amend H. F. No. 449, as amended pursuant to Rule 49, adopted by the Senate April 20, 1981, as follows:

(The text of the amended House File is identical to S.F. No. 793.)

Page 2, after line 14, insert:

“Sec. 2. [486.051] [SIXTH JUDICIAL DISTRICT; COURT REPORTER SALARIES.]

Notwithstanding Minnesota Statutes, Section 486.05, or any other law to the contrary, the majority of the judges of the sixth judicial district by an order filed with the county auditors on or before the second Monday in June of 1981 shall fix and establish the salary of the court reporters of that district. Thereafter a majority of the judges of the sixth judicial district shall annually fix and establish the salary of the court reporters of that district in accordance with the salary adjustments of other nonclassified employees of the district effective January 1 of each year. The judicial district administrator of the sixth judicial district shall apportion the salaries of the reporters in the district among the several counties and each county shall be required by the order to pay a specified amount thereof in monthly installments, which shall be such proportion of the whole salary as the population in each county bears to the total population in the district as set forth in the most recent federal census. If a judge is temporarily transferred to hold court in some county other than in his judicial district, then the county to which the reporter is transferred shall pay a proportionate share of the monthly salary for the work done by the reporter in that county. Each reporter shall have and maintain his residence in the district in which he is appointed. The reporter, in addition to his salary, shall be paid such sums as he shall accrue as necessary mileage, traveling, and hotel expenses while absent from the city in which he resides in the discharge of his official duties, the expenses to be paid by the county for which the expenses were incurred upon presentation of a verified itemized statement approved by the judge. The auditor of the county, upon presentation of such approved statement, shall issue his warrant in payment thereof.”

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 3, after the semicolon, insert “authorizing the judges of the sixth judicial district to set the salaries of court reporters;”

Page 1, line 4, before the period, insert “; proposing new law coded in Minnesota Statutes, Chapter 486”

The motion prevailed. So the amendment was adopted.

H. F. No. 579, which the committee reports progress, subject to the following motion:

Mr. Stern moved to amend H. F. No. 579 as follows:

Page 5, line 27, reinstate “and”

Page 5, line 27, delete the first comma

Page 5, line 27, delete “, and any share of future”

Page 5, line 28, delete “appreciation of the mortgaged property”

Page 5, line 29, reinstate “and”

Page 5, line 29, delete the first comma and strike the second comma

Page 5, delete line 30

Page 12, line 20, after "loan" insert " , or loan made pursuant to the authority granted in subdivision 1, clause (3) or (4)."

The motion prevailed. So the amendment was adopted.

H.F. No. 579 was then progressed.

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

Pursuant to Rule 21, Mr. Nelson moved that the following members be excused for a Conference Committee on S. F. No. 209 at 10:00 a.m.:

Messrs. Nelson, Keefe and Peterson, C.C. The motion prevailed.

RECESS

Mr. Moe, R.D. moved that the Senate do now recess until 1:00 p.m. The motion prevailed.

The hour of 1:00 p.m. having arrived, the President called the Senate to order.

SUSPENSION OF RULES

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

CALENDAR

H. F. No. 272: A bill for an act relating to administrative rules; clarifying certain powers and duties of the legislative commission to review administrative rules; amending Minnesota Statutes 1980, Section 3.965, Subdivision 3, and by adding a subdivision.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 57 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

H. F. No. 90: A bill for an act relating to administrative rules; clarifying

which rules have the force of law; amending Minnesota Statutes 1980, Section 15.0413, Subdivision 1, and by adding subdivisions.

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

So the bill passed and its title was agreed to.

H. F. No. 29: A bill for an act relating to hospitals; requiring adoption of federal medicare standards for hospital licensing; regulating hospital inspections; providing for licensing of hospitals accredited by the joint commission on hospital accreditation; amending Minnesota Statutes 1980, Sections 144.50, Subdivision 1; and 144.55.

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 57 and nays 2, as follows:

Those who voted in the affirmative were:

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

Messrs. Lindgren and Rued voted in the negative.

So the bill passed and its title was agreed to.

H. F. No. 157: A bill for an act relating to public welfare; providing that every birth to a minor shall be reported within three working days to the commissioner of public welfare; amending Minnesota Statutes 1980, Section 257.33.

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 57 and nays 2, as follows:

Those who voted in the affirmative were:

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

Messrs. Lindgren and Rued voted in the negative.

So the bill passed and its title was agreed to.

H. F. No. 569: A bill for an act relating to housing; providing new standards and procedures for disclosing conflicts of interest for commissioners and employees of housing and redevelopment authorities; establishing penalties; proposing new law coded in Minnesota Statutes, Chapter 462; repealing Minnesota Statutes 1980, Section 462.431.

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

So the bill passed and its title was agreed to.

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

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

The question was taken on the passage of the bill.

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

Those who voted in the affirmative were:

Ashbach	Bernhagen	Davis	Frederick	Knutson
Belanger	Bertram	Davis	Frederickson	Kroening
Benson	Brataas	Dicklich	Hanson	Kronebusch
Berg	Chmielewski	Engler	Humphrey	Langseth
Berglin	Dahl	Frank	Johnson	Lantry

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

So the bill passed and its title was agreed to.

H. F. No. 13: A bill for an act relating to criminal procedure; providing officers of the United States customs service and the immigration and naturalization service with the arrest powers of peace officers; amending Minnesota Statutes 1980, Sections 629.30; and 629.34.

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

The question was taken on the passage of the bill.

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

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

H. F. No. 480: A bill for an act relating to agriculture; changing the name of the joint legislative committee on agricultural land preservation; amending Laws 1979, Chapter 315, Sections 2 and 3.

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

The question was taken on the passage of the bill.

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

Those who voted in the affirmative were:

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

Mr. Davies voted in the negative.

So the bill passed and its title was agreed to.

H. F. No. 525: A bill for an act relating to agriculture; limiting the applicability and changing the size of county extension committees; amending Minnesota Statutes 1980, Section 38.36.

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

The question was taken on the passage of the bill.

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

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

S. F. No. 536: A bill for an act relating to local government; providing for the board membership and powers of the Moose Lake and Windemere area sanitary sewer district; amending Laws 1974, Chapter 400, Section 3, Subdivision 12, as amended; and Section 4, Subdivision 2, as amended; repealing Laws 1974, Chapter 400, Section 8, Subdivision 5, 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 63 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

H. F. No. 415: A bill for an act relating to financial institutions; authorizing federal funds transactions for credit unions; removing the limitation on insurance commission income and prohibiting participation of officials in such income; permitting the sale of real estate loans; amending Minnesota Statutes 1980, Section 52.04, Subdivision 1.

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

The question was taken on the passage of the bill.

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

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

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

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 56 and nays 7, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Davis	Menning	Pillsbury	Renneke	Schmitz
Keefe	Merriam			

So the bill passed and its title was agreed to.

H. F. No. 731: A bill for an act relating to family; providing for solemnization of marriages by certain court officers; amending Minnesota Statutes 1980, Section 517.04.

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 53 and nays 10, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Bernhagen	Kronebusch	Merriam	Peterson, C. C.	Rued
Chmielewski	Lessard	Olhoft	Peterson, D. L.	Willet

So the bill passed and its title was agreed to.

H. F. No. 969: A bill for an act relating to metropolitan government; authorizing the metropolitan council to prepare guidelines relating to the amendment of comprehensive plans; amending Minnesota Statutes 1980, Section 473.864, Subdivision 2.

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 56 and nays 6, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Humphrey	Peterson, D. L.	Renneke	Schmitz	Willet
Peterson, C. C.				

So the bill passed and its title was agreed to.

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

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 16, as follows:

Those who voted in the affirmative were:

Belanger	Frederickson	Lindgren	Petty	Stumpf
Benson	Hanson	Luther	Pillsbury	Taylor
Berglin	Humphrey	Merriam	Purfeerst	Tennessee
Brataas	Johnson	Moe, D. M.	Ramstad	Ulland
Chmielewski	Knoll	Moe, R. D.	Schmitz	Vega
Dahl	Knutson	Nelson	Sikorski	Waldorf
Davies	Kroening	Pehler	Solon	Wegener
Dicklich	Kronebusch	Penny	Spear	
Frank	Langseth	Peterson, D. L.	Stern	
Frederick	Lantry	Peterson, R. W.	Stokowski	

Those who voted in the negative were:

Ashbach	Bertram	Keefe	Olhoft	Rued
Bang	Davis	Lessard	Peterson, C. C.	Setzepfandt
Berg	Engler	Menning	Renneke	Willit
Bernhagen				

So the bill passed and its title was agreed to.

S. F. No. 642: A bill for an act relating to financial institutions; authorizing establishment of detached facilities resulting from mergers and consolidations; amending Minnesota Statutes 1980, Sections 49.34; 49.36; and 49.45.

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 50 and nays 12, as follows:

Those who voted in the affirmative were:

Ashbach	Davis	Knutson	Nelson	Solon
Bang	Dicklich	Kroening	Pehler	Spear
Belanger	Engler	Kronebusch	Peterson, R. W.	Stern
Benson	Frank	Langseth	Petty	Stokowski
Berglin	Frederick	Lantry	Pillsbury	Stumpf
Bernhagen	Hanson	Lessard	Purfeerst	Tennessee
Bertram	Humphrey	Lindgren	Ramstad	Ulland
Brataas	Johnson	Luther	Rued	Vega
Dahl	Keefe	Merriam	Schmitz	Waldorf
Davies	Knoll	Moe, R. D.	Setzepfandt	Wegener

Those who voted in the negative were:

Berg	Menning	Peterson, C. C.	Renneke	Taylor
Chmielewski	Olhoft	Peterson, D. L.	Sikorski	Willit
Frederickson	Penny			

So the bill passed and its title was agreed to.

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

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 8, as follows:

Those who voted in the affirmative were:

Ashbach	Brataas	Frank	Keefe	Lessard
Belanger	Dahl	Frederick	Knoll	Lindgren
Benson	Davies	Frederickson	Knutson	Luther
Berglin	Davis	Hanson	Kronebusch	Merriam
Bernhagen	Dicklich	Humphrey	Langseth	Moe, D. M.
Bertram	Engler	Johnson	Lantry	Moe, R. D.

Pehler	Pillsbury	Setzepfandt	Stokowski	Vega
Penny	Purfeerst	Sikorski	Stumpf	Waldorf
Peterson, D. L.	Ramstad	Solon	Taylor	Wegener
Peterson, R. W.	Rued	Spear	Tennessee	Willet
Petty	Schmitz	Stern	Ulland	

Those who voted in the negative were:

Bang	Kroening	Nelson	Peterson, C. C.	Renneke
Chmielewski	Menning	Olhoft		

So the bill passed and its title was agreed to.

H. F. No. 972: A bill for an act relating to financial institutions; increasing the percentage of capital and surplus a bank or trust company may invest in the stock of certain banks or bank holding companies; amending Minnesota Statutes 1980, Section 48.61, 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 51 and nays 12, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Berg	Davis	Moe, D. M.	Peterson, C. C.	Wegener
Berglin	Knutson	Olhoft	Rued	Willet
Chmielewski	Kroening			

So the bill passed and its title was agreed to.

S. F. No. 460: A bill for an act relating to intoxicating liquor; authorizing the use of wine catalogs by off-sale dealers; amending Minnesota Statutes 1980, Section 340.15, Subdivision 1.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 41 and nays 22, as follows:

Those who voted in the affirmative were:

Ashbach	Frederick	Luther	Pillsbury	Stumpf
Bang	Hanson	Merriam	Purfeerst	Taylor
Belanger	Humphrey	Moe, D. M.	Ramstad	Tennessee
Benson	Johnson	Moe, R. D.	Rued	Ulland
Berglin	Knoll	Nelson	Schmitz	Vega
Brataas	Knutson	Pehler	Sikorski	
Dahl	Kronebusch	Penny	Solon	
Davies	Langseth	Peterson, R. W.	Spear	
Dicklich	Lantry	Petty	Stern	

Those who voted in the negative were:

Berg	Engler	Lessard	Peterson, D. L.	Wegener
Bernhagen	Frank	Lindgren	Renneke	Willet
Bertram	Frederickson	Menning	Setzepfandt	
Chmielewski	Keefe	Olhoft	Stokowski	
Davis	Kroening	Peterson, C. C.	Waldorf	

So the bill passed and its title was agreed to.

S. F. No. 937: A bill for an act relating to insurance; prohibiting the issuance or renewal of certain health policies or plans which exclude or limit coverage on DES related conditions; proposing new law coded in Minnesota Statutes, Chapter 62A.

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

The question was taken on the passage of the bill.

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

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

H. F. No. 937: A bill for an act relating to the city of Duluth; authorizing the city to continue to issue the number of liquor licenses it was authorized to issue in the year 1980.

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 56 and nays 7, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Knutson	Menning	Peterson, C. C.	Renneke	Willet
Lindgren	Olhoft			

So the bill passed and its title was agreed to.

S. F. No. 1125: A bill for an act relating to the cities of Bloomington and St. Louis Park; authorizing use of electronic voting systems for absentee voting; imposing rule-making duties on the secretary of state.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 61 and nays 2, as follows:

Those who voted in the affirmative were:

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

Messrs. Bang and Davies voted in the negative.

So the bill passed and its title was agreed to.

S. F. No. 657: A bill for an act relating to courts; providing for additional clerk and administrator duties in conciliation court; changing the jurisdiction of conciliation courts; providing for a procedure to assist in collection of conciliation court judgments; changing certain deadlines; providing penalties; amending Minnesota Statutes 1980, Sections 487.30, Subdivision 1, and by adding a subdivision; 488A.12, Subdivision 3; 488A.13, Subdivision 2; 488A.14, Subdivisions 4 and 5; 488A.16, Subdivisions 2, 5, 6 and 8; 488A.17, Subdivisions 2 and 3; 488A.29, Subdivision 3; 488A.30, Subdivision 2; 488A.31, Subdivisions 4 and 5; 488A.33, Subdivisions 2, 5, 7 and 8; 488A.34, Subdivisions 2 and 12.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 63 and nays 1, as follows:

Those who voted in the affirmative were:

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

Mr. Knutson voted in the negative.

So the bill passed and its title was agreed to.

S. F. No. 1164: A bill for an act relating to crimes; providing for review of sentences imposed prior to adoption of sentencing guidelines; proposing new law coded in Minnesota Statutes, Chapter 244.

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 14 and nays 50, as follows:

Those who voted in the affirmative were:

Berglin	Dicklich	Merriam	Petty	Tennessee
Brataas	Johnson	Moe, D. M.	Stern	Ulland
Davies	Knutson	Peterson, R. W.	Stumpf	

Those who voted in the negative were:

Ashbach	Dieterich	Kronebusch	Pehler	Setzepfandt
Bang	Engler	Langseth	Penny	Sikorski
Belanger	Frank	Lantry	Peterson, C. C.	Solon
Benson	Frederick	Lessard	Peterson, D. L.	Spear
Berg	Frederickson	Lindgren	Pillsbury	Stokowski
Bernhagen	Hanson	Luther	Purfeerst	Taylor
Bertram	Hughes	Menning	Ramstad	Vega
Chmielewski	Humphrey	Moe, R. D.	Renneke	Waldorf
Dahl	Keefe	Nelson	Rued	Wegener
Davis	Kroening	Olhoft	Schmitz	Willett

So the bill failed to pass.

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

MOTIONS AND RESOLUTIONS

Mr. Davies moved that S. F. No. 225 be taken from the table. The motion prevailed.

S. F. No. 225: A bill for an act relating to labor; regulating certain charges to persons earning the minimum wage; amending Minnesota Statutes 1980, Section 177.24, by adding subdivisions.

CONCURRENCE AND REPASSAGE

Mr. Davies moved that the Senate concur in the amendments by the House to S. F. No. 225 and that the bill be placed on its repassage as amended. The motion prevailed.

S. F. No. 225 was read the third time, as amended by the House, and placed on its repassage.

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

The roll was called, and there were yeas 50 and nays 8, as follows:

Those who voted in the affirmative were:

Bang	Davis	Humphrey	Lantry	Moe, D. M.
Belanger	Dieterich	Johnson	Lessard	Moe, R. D.
Berglin	Frank	Keefe	Lindgren	Olhoft
Chmielewski	Frederickson	Knutson	Luther	Pehler
Dahl	Hanson	Kroening	Menning	Penny
Davies	Hughes	Kronebusch	Merriam	Peterson, C. C.

Peterson, D.L.	Ramstad	Setzepfandt	Stokowski	Vega
Peterson, R.W.	Renneke	Sikorski	Stumpf	Waldorf
Petty	Rued	Solon	Taylor	Wegener
Pillsbury	Schmitz	Spear	Ulland	Willet

Those who voted in the negative were:

Ashbach	Berg	Bertram	Engler	Frederick
Benson	Bernhagen	Brataas		

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

SUSPENSION OF RULES

Without objection, the Senate reverted to the Order of Business of the Consent Calendar and the rules of the Senate were so far suspended as to waive the lie-over requirement.

CONSENT CALENDAR

S. F. No. 1265: A bill for an act relating to the Ramsey-Washington Metro watershed district; permitting deferral of special assessments in certain cases of hardship.

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 53 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

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

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 55 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

H. F. No. 171: A bill for an act relating to historic sites; changing the classification of the Kensington Runestone historic site; amending Minnesota Statutes 1980, Section 138.56, by adding a subdivision; repealing Minnesota Statutes 1980, Section 138.58, 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 52 and nays 4, as follows:

Those who voted in the affirmative were:

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

Messrs. Keefe; Kroening; Moe, D. M. and Spear voted in the negative.

So the bill passed and its title was agreed to.

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

MOTIONS AND RESOLUTIONS

CONFIRMATION

Mr. Knoll moved that the report from the Committee on Governmental Operations, reported April 23, 1981, pertaining to appointments, be taken from the table. The motion prevailed.

Mr. Knoll moved that the foregoing report be now adopted. The motion prevailed.

Mr. Knoll moved that in accordance with the report from the Committee on Governmental Operations reported April 23, 1981, the Senate, having given its advice, do now consent to and confirm the appointment of:

DEPARTMENT OF ADMINISTRATION COMMISSIONER

James Hiniker, 6833 Oaklawn Avenue, Edina, Hennepin County, effective March 12, 1979, for a term expiring the first Monday in January, 1983.

The motion prevailed. So the appointment was confirmed.

GENERAL ORDERS

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

After some time spent therein, the committee arose, and Mr. Bertram re-

ported that the committee had considered the following:

S. F. Nos. 1074, 690, 890, 556, 655, 909, 641, 1132, 1174, 672, 814 and H. F. Nos. 484, 1015, 681 and 739, which the committee recommends to pass.

S. F. No. 1172, which the committee recommends be returned to the Committee on Governmental Operations.

S. F. No. 1056, which the committee recommends be returned to the Committee on Governmental Operations.

H. F. No. 579, which the committee recommends to pass, subject to the following motions.

Mr. Waldorf moved to amend H. F. No. 579 as follows:

Page 8, lines 2 to 6, reinstate the stricken language and delete the new language

Page 8, line 3, strike "conventional loan or"

Page 8, line 5, strike "conventional loan or"

Page 9, lines 2 and 3, reinstate the stricken language and delete the new language

Page 10, lines 11 to 15, reinstate the stricken language and delete the new language

Page 10, line 12, strike "conventional loan or"

Page 10, line 14, strike "conventional loan or"

Page 11, lines 11, 22 and 24, reinstate the stricken language and delete the new language

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 31 and nays 13, as follows:

Those who voted in the affirmative were:

Berglin	Frederickson	Lindgren	Peterson, D. L.	Waldorf
Chmielewski	Humphrey	Luther	Peterson, R. W.	Wegener
Dahl	Johnson	Menning	Sikorski	Willet
Davis	Knoll	Moe, D. M.	Spear	
Dicklich	Kroening	Moe, R. D.	Stokowski	
Dieterich	Langseth	Olhoft	Stumpf	
Frank	Lantry	Penny	Taylor	

Those who voted in the negative were:

Ashbach	Engler	Kronebusch	Solon	Ulland
Belanger	Keefe	Pillsbury	Stern	
Benson	Knutson	Rued	Tennessee	

The motion prevailed. So the amendment was adopted.

Mr. Kroening moved to amend H. F. No. 579 as follows:

Amend the title as follows:

Page 1, delete lines 2 to 5 and insert

"relating to financial institutions; providing for unlimited interest rates on mortgage loans; removing rate restrictions on certain mortgage loans; prohibiting legislative review of any new alternative mortgage instruments; requiring that all mortgage loans made after May 31, 1979, be assumable under the financial institution options, specifically unlimited interest rates; amending Minnesota Statutes 1980,"

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 17 and nays 32, as follows:

Those who voted in the affirmative were:

Berglin	Dieterich	Langseth	Moe, D. M.	Willet
Chmielewski	Frank	Lessard	Sikorski	
Davis	Johnson	Luther	Spear	
Dicklich	Kroening	Menning	Waldorf	

Those who voted in the negative were:

Ashbach	Davies	Knutson	Peterson, C. C.	Taylor
Bang	Engler	Kronebusch	Peterson, D. L.	Tennesen
Belanger	Frederickson	Lantry	Peterson, R. W.	Ulland
Benson	Hanson	Merriam	Pillsbury	Wegener
Berg	Hughes	Moe, R. D.	Renneke	
Bernhagen	Humphrey	Nelson	Rued	
Dahl	Keefe	Olhoft	Stern	

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

Mr. Luther moved to amend H. F. No. 579 as follows:

Page 12, line 33, delete "*such*" and insert "*a new interest*"

Page 12, line 33, delete "*as agreed to*" and insert "*which will be the bank's current market rate of interest on similar loans at the time of the transfer, but which will be no greater than the most recently published monthly index of the federal national mortgage association auction yields as compiled by the federal national mortgage association*"

Page 12, line 34, delete everything before the period

The motion prevailed. So the amendment was adopted.

Mr. Johnson moved to amend H. F. No. 579 as follows:

Page 14, line 10, after "*enactment*" insert "*and are repealed effective July 1, 1983*"

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 20 and nays 31, as follows:

Those who voted in the affirmative were:

Berglin	Dicklich	Johnson	Luther	Spear
Chmielewski	Frank	Kroening	Moe, R. D.	Stokowski
Dahl	Hanson	Langseth	Peterson, R. W.	Stumpf
Davis	Humphrey	Lantry	Sikorski	Willet

Those who voted in the negative were:

Ashbach	Davies	Kronebusch	Ramstad	Taylor
Bang	Engler	Lessard	Renneke	Tennesen
Belanger	Frederick	Merriam	Rued	Ulland
Benson	Frederickson	Penny	Schmitz	
Berg	Hughes	Peterson, C. C.	Setzepfandt	
Bernhagen	Keefe	Peterson, D. L.	Solon	
Brataas	Knutson	Pillsbury	Stern	

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

The question was taken on the recommendation to pass H. F. No. 579.

The roll was called, and there were yeas 41 and nays 17, as follows:

Those who voted in the affirmative were:

Ashbach	Frederick	Lantry	Peterson, D. L.	Stern
Bang	Frederickson	Lessard	Peterson, R. W.	Taylor
Belanger	Hanson	Lindgren	Pillsbury	Tennessen
Benson	Hughes	Merriam	Ramstad	Ulland
Berg	Humphrey	Moe, R. D.	Renneke	Wegener
Brataas	Keefe	Nelson	Rued	
Dahl	Knutson	Pehler	Schmitz	
Davies	Kronebusch	Penny	Setzepfandt	
Engler	Langseth	Peterson, C. C.	Solon	

Those who voted in the negative were:

Berglin	Dieterich	Luther	Stokowski	Willet
Chmielewski	Frank	Moe, D. M.	Stumpf	
Davis	Johnson	Sikorski	Vega	
Dicklich	Kroening	Spear	Waldorf	

The motion prevailed. So H. F. No. 579 was recommended to pass.

S. F. No. 1188, which the committee recommends to pass with the following amendment offered by Mr. Moe, D.M.:

Page 2, line 29, reinstate the comma

Page 2, line 31, strike "in writing inform" and insert "*notify*"

Page 2, line 31, after "party" insert "*in writing*"

Page 3, line 14, delete "*those charges*" and insert "*the charge*"

Page 5, line 10, strike "such" and insert "*the*"

Page 5, line 16, strike "shall lease or rent" and insert "*leases or rents*"

Page 7, line 3, strike "his" and insert "*their*"

Page 7, lines 3 and 11, strike "thereof"

Page 7, line 4, strike "cause" and insert "*terminate*"

Page 7, line 5, strike "to terminate"

Page 7, line 11, strike "in such" and insert "*under*"

Page 7, line 12, strike "may deem" and insert "*deems*"

Page 7, line 12, strike "such" and insert "*the*"

Page 7, line 15, strike ", in its discretion,"

Amend the title as follows:

Page 1, line 3, delete "; defining certain terms"

Page 1, line 7, delete "and eliminating the"

Page 1, delete lines 8 and 9

Page 1, line 10, delete "the recovery for certain damages"

The motion prevailed. So the amendment was adopted.

S. F. No. 56, which the committee recommends to pass with the following amendment offered by Mr. Davies:

Page 1, line 21, after "(b)" insert "*, unless waived by the commissioner to*

the extent applicable to holders who are both nonresidents and employed outside this state,"

The motion prevailed. So the amendment was adopted.

S. F. No. 1135, which the committee reports progress, subject to the following motion:

Mr. Davies moved to amend S. F. No. 1135 as follows:

Page 1, line 19, delete "five" and insert "four"

Page 2, lines 19 and 31, delete "five" and insert "four"

The motion prevailed. So the amendment was adopted.

S. F. No. 1135 was then progressed.

S. F. No. 1106, which the committee recommends to pass with the following amendment offered by Mr. Moe, D.M.:

Page 7, line 5, after "applicable" insert a comma

Page 104, line 35, before "board" insert "school" and delete "of education"

Page 131, line 2, delete "161" and insert "158"

Page 134, line 30, after the first "to" insert "Minnesota Statutes 1980, Section 355.73,"

Page 141, line 20, delete "fifth" and insert "sixth"

Page 183, line 7, delete "230" and insert "222"

Page 183, line 13, delete "230" and insert "222"

Page 196, line 19, delete "161" and insert "158"

Page 220, line 24, delete "section" and insert "sections"

Page 221, line 6, after "352.1181;" insert "352B.075;"

Page 221, line 24, delete "209" and insert "207"

Amend the title as follows:

Page 2, line 60, after "352.1181;" insert "352B.075;"

The motion prevailed. So the amendment was adopted.

S. F. No. 1126, which the committee recommends to pass with the following amendment offered by Mr. Ulland:

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

The motion prevailed. So the amendment was adopted.

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

MEMBERS EXCUSED

Messrs. Petty and Purfeerst were excused from the Session of today at 2:00 p.m. Mr. Hughes was excused from the Session of today from 1:15 to 1:45

p.m. Mr. Sieloff was excused from this afternoon's Session.

RECESS

Mr. Moe, R.D. moved that the Senate do now recess until 7:30 p.m. The motion prevailed.

The hour of 7:30 p.m. having arrived, the President called the Senate to order.

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

MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, herewith returned: S. F. No. 1047.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned April 28, 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. 145: A bill for an act relating to crimes; authorizing notices of dishonored checks to be made by certified or regular mail and an affidavit of service by mailing; amending Minnesota Statutes 1980, Section 609.535, Subdivision 3.

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

Kelly, McCarron and Heinitz.

Senate File No. 145 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned April 28, 1981

MOTIONS AND RESOLUTIONS

Mr. Willet moved that H. F. No. 1421 be withdrawn from the Committee on Finance and laid on the table. The motion prevailed.

INTRODUCTION AND FIRST READING OF SENATE BILLS

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

Ms. Berglin introduced—

S.F. No. 1379: A bill for an act relating to criminal justice; imposing a tax on alcoholic beverages sold for resale by the drink; providing for the distribu-

tion of the proceeds to local units of government to meet the costs of enforcement of laws relating to driving offenses involving alcohol or drugs; requiring payment of certain costs by persons receiving treatment for alcoholism; providing penalties; appropriating money; proposing new law coded in Minnesota Statutes, Chapters 169 and 340.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Setzepfandt; Belanger; Peterson, C.C. and Vega introduced—

S.F. No. 1380: A bill for an act relating to civil actions; requiring jury fees to be refunded upon settlement prior to trial; proposing new law coded in Minnesota Statutes, Chapter 546.

Referred to the Committee on Judiciary.

Mrs. Kronebusch introduced—

S.F. No. 1381: A bill for an act relating to local government; extending application of the revenue recapture act to certain local governments; amending Minnesota Statutes 1980, Sections 270A.02; and 270A.03, Subdivision 2.

Referred to the Committee on Local Government and Urban Affairs.

Messrs. Davies and Peterson, R.W. introduced—

S.F. No. 1382: A bill for an act relating to legislative enactments; providing for the correction of miscellaneous oversights, inconsistencies, ambiguities, unintended results and errors of a noncontroversial nature; amending H.F. No. 332, Sections 11, Subdivision 4; and 15, Subdivision 1.

Referred to the Committee on Rules and Administration.

Messrs. Peterson, C.C.; Johnson; Merriam; Lessard and Bernhagen introduced—

S.F. No. 1383: A bill for an act relating to game and fish; enlarging the definition of fur bearing animals and regulating the taking and possession thereof; amending Minnesota Statutes 1980, Sections 97.40, Subdivisions 7 and 9; 97.45, Subdivision 13; 97.482, Subdivision 1; 97.55, Subdivision 9; 98.45, Subdivision 7; 98.46, Subdivisions 2a, 4, 14, and 21; 98.47, Subdivisions 1, 6, and 10; 98.48, Subdivision 5; 98.50, Subdivision 1; 98.51, Subdivisions 1 and 3; 99.27, Subdivision 1; 100.273, Subdivisions 2 and 7; 100.29, Subdivision 11; and 100.30.

Referred to the Committee on Agriculture and Natural Resources.

Mrs. Kronebusch, Messrs. Rued, Engler, Johnson and Chmielewski introduced—

S.F. No. 1384: A bill for an act relating to taxation; sales and use tax; clarifying the exemption of wrapping paper purchased for custom meat processing; amending Minnesota Statutes 1980, Section 297A.25, Subdivision 1.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Humphrey; Willet; Moe, R.D.; Peterson C.C. and Mrs. Lantry introduced—

S.F. No. 1385: A resolution memorializing the President and Congress of the United States of Minnesota's opposition to the decontrol of natural gas prices.

Referred to the Committee on Rules and Administration.

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

S.F. No. 1386: A bill for an act relating to the organization and operation of state government; appropriating money for education and related purposes, including the department of education, higher education coordinating board, state universities, community colleges, and the university of Minnesota and its hospitals, with certain conditions; amending Minnesota Statutes 1980, Sections 15.38; and 144A.61, Subdivision 3.

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

GENERAL ORDERS

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

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

S. F. Nos. 558, 1248, 823, 1278, 1321, 167 and H. F. Nos. 1088, 365, 189, 996, 976, 1080, 536, 928, 1075, 775, 564, 277, 395, 1052, 704, 601, 57, 436 and 893, which the committee recommends to pass.

S. F. No. 662, which the committee recommends to pass with the following amendments offered by Messrs. Petty, Davies and Engler:

Mr. Petty moved to amend S.F. No. 662 as follows:

Amend the title as follows:

Page 1, line 28, delete "certain" and insert "an"

Page 1, line 28, delete "provisions" and insert "provision" and delete the rest of the line

Page 1, delete line 29

Page 1, line 30, delete everything before the semicolon

The motion prevailed. So the amendment was adopted.

Mr. Davies moved to amend S. F. No. 662 as follows:

Page 4, line 36, delete "or she"

Page 8, line 23, delete "or she"

Page 9, lines 17 and 19, delete "or she"

Page 10, line 7, delete "or"

Page 10, line 8, delete "she"

Page 11, line 22, delete "or her"

Page 13, line 3, delete "or her"

Page 14, line 18, delete "or her"

Page 16, line 29, delete "or"

Page 16, line 30, delete "her"

Page 17, lines 1 and 5, delete "or her"

Page 17, line 7, delete "or she"

The motion prevailed. So the amendment was adopted.

Mr. Engler moved to amend S.F. No. 662 as follows:

Page 5, after line 17, insert:

"Sec. 6. Minnesota Statutes 1980, Section 47.51, is amended to read:

47.51 [DETACHED BANKING FACILITIES; DEFINITIONS.]

As used in sections 47.51 to 47.57:

"Extension of the main banking house" means any structure or stationary mechanical device serving as a drive-in or walk-up facility, or both, which is located within 150 feet of the main banking house, the distance to be measured in a straight line from the closest points of the closest structures involved and which performs one or more of the functions described in section 47.53.

"Detached facility" means any permanent structure, office accommodation located within the premises of any existing commercial or business establishment, stationary automated remote controlled teller facility, stationary unmanned cash dispensing or receiving device, located separate and apart from the main banking house which is not an "extension of the main banking house" as above defined, that serves as a drive-in or walk-up facility, or both, with one or more tellers windows, or as a remote controlled teller facility or a cash dispensing or receiving device, and which performs one or more of those functions described in section 47.53.

"Bank" means a bank as defined in section 45.08 and any banking office established prior to the effective date of Laws 1923, Chapter 170, Section 1.

"Commissioner" means the commissioner of banks.

"Municipality" means the geographical area encompassing the boundaries of any home rule charter or statutory city located in this state, and any detached area, pursuant to section 473.625, operated as a major airport by the metropolitan airports commission pursuant to sections 473.601 to 473.679. *When a bank is located in a township, the term municipality is expanded to mean the geographical area encompassing the boundaries of the township.*

Page 18, line 22, delete "17" and insert "18"

Re number the sections in sequence

Amend the title as follows:

Page 1, line 8, after the semicolon, insert "expanding the definition of municipality to include townships with a bank;"

Page 1, line 33, after "Subdivision 1;" insert "47.51;"

The motion prevailed. So the amendment was adopted.

S. F. No. 945, which the committee recommends to pass with the following amendments offered by Ms. Berglin and Mr. Olhoft:

Ms. Berglin moved to amend S. F. No. 945 as follows:

Page 2, line 9, strike "or" and insert a comma

Page 2, line 11, after "price" insert "*, or the sale of which would net an insignificant amount of income applicable to the family's needs*"

Page 3, line 14, after "price" insert "*, or unless sale of the real estate would net an insignificant amount of income applicable to the family's needs*"

The motion prevailed. So the amendment was adopted.

Mr. Olhoft moved to amend S. F. No. 945 as follows:

Page 1, line 20, delete "with" and insert "and"

Page 3, line 9, delete "with" and insert "and"

The motion prevailed. So the amendment was adopted.

S. F. No. 207, which the committee recommends to pass with the following amendments offered by Messrs. Spear and Peterson, C.C.:

Mr. Spear moved to amend S.F. No. 207 as follows:

Page 14, line 24, delete "353.017, Subdivision 5;"

Amend the title as follows:

Page 1, line 11, delete "353.017,"

Page 1, line 12, delete "Subdivision 5;"

The motion prevailed. So the amendment was adopted.

Mr. Peterson, C.C. moved to amend S.F. No. 207 as follows:

Page 7, line 27, after the stricken word "or" delete the comma and insert "on" and delete "diskettes" and insert "*magnetic media*"

The motion prevailed. So the amendment was adopted.

H. F. No. 79, which the committee recommends to pass with the following amendments offered by Messrs. Petty and Ulland:

Mr. Petty moved to amend H. F. No. 79, the unofficial engrossment, as follows:

Page 2, after line 27, insert:

"(6) Transactions in which the buyer of the secondhand item containing precious metal is engaged primarily in the business of buying and selling antiques, and the items are resold in an unaltered condition except for repair, and the items are resold at retail, and such buyer purchased less than \$2,500 worth of secondhand items containing precious metals within any period of twelve consecutive months."

The motion prevailed. So the amendment was adopted.

Mr. Ulland moved to amend H. F. No. 79, the unofficial engrossment, as follows:

Page 6, line 1, after "state" insert "*which has enacted an ordinance relating to the regulation and licensing of precious metal dealers effective prior to February 1, 1981.*"

The motion prevailed. So the amendment was adopted.

Mr. Ulland then moved to amend H. F. No. 79, the unofficial engrossment, as follows:

Page 3, line 15, before the period, insert "*, not to exceed \$100*"

The motion prevailed. So the amendment was adopted.

Mr. Ulland then moved to amend H. F. No. 79, the unofficial engrossment, as follows:

Page 6, line 3, after the period, insert "*No municipal corporation or other governmental subdivision which has enacted an ordinance relating to the regulation and licensing of precious metal dealers effective after January 31, 1981, shall require a license fee in addition to the fee authorized in section 3, subdivision 2.*"

The motion prevailed. So the amendment was adopted.

H. F. No. 567, which the committee recommends to pass with the following amendment offered by Mr. Renneke:

Amend H. F. No. 567, as amended pursuant to Rule 49, adopted by the Senate April 23, 1981, as follows:

(The text of the amended House File is identical to S. F. No. 1293.)

Page 4, line 6, delete "and"

Amend the title as follows:

Page 1, line 9, delete "the signature of" and insert "notice to"

Page 1, line 10, delete "on the retirement application form"

The motion prevailed. So the amendment was adopted.

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

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

MESSAGES FROM THE HOUSE

Mr. President:

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

S. F. No. 642: A bill for an act relating to financial institutions; authorizing establishment of detached facilities resulting from mergers and consolidations; amending Minnesota Statutes 1980, Sections 49.34; 49.36; and 49.45.

Senate File No. 642 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned April 28, 1981

CONCURRENCE AND REPASSAGE

Mr. Tennesen moved that the Senate concur in the amendments by the House to S. F. No. 642 and that the bill be placed on its repassage as amended. The motion prevailed.

S.F. No. 642 was read the third time, as amended by the House, and placed on its repassage.

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

The roll was called, and there were yeas 46 and nays 9, as follows:

Those who voted in the affirmative were:

Belanger	Frank	Lantry	Pillsbury	Stumpf
Benson	Frederick	Lessard	Ramstad	Taylor
Berglin	Hanson	Lindgren	Rued	Tennesen
Bernhagen	Hughes	Luther	Schmitz	Ulland
Bertram	Humphrey	Merriam	Setzepfandt	Vega
Brataas	Johnson	Moe, R. D.	Sieloff	Waldorf
Dahl	Keefe	Nelson	Sikorski	
Davies	Kroening	Pehler	Spear	
Davis	Kronebusch	Peterson, R. W.	Stern	
Engler	Langseth	Petty	Stokowski	

Those who voted in the negative were:

Chmielewski	Menning	Penny	Renneke	Willet
Frederickson	Olhoft	Peterson, C.C.	Wegener	

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

MOTIONS AND RESOLUTIONS - CONTINUED

Mr. Moe, R.D. moved that the Senate do now adjourn until 10:00 a.m., Wednesday, April 29, 1981. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate