

FORTY-FIFTH DAY

St. Paul, Minnesota, Friday, May 1, 1981

The Senate met at 9:30 a.m. and was called to order by the President.

Prayer was offered by the Chaplain, Rev. Daniel C. Brumm.

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

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

The President declared a quorum present.

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

MEMBERS EXCUSED

Messrs. Hughes, Humphrey and Keefe were excused from the Session of today. Mr. Frederick was excused from the Session of today until 10:30 a.m. Mr. Sieloff was excused from the Session of today until 11:00 a.m.

EXECUTIVE AND OFFICIAL COMMUNICATIONS

April 29, 1981

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

The Honorable Jack Davies
President of the Senate

I have the honor to inform you that the following enrolled Acts of the 1981 Session of the State Legislature have been received from the Office of the Governor and are deposited in the Office of the Secretary of State for preser-

vation, pursuant to the State Constitution, Article IV, Section 23:

S.F. No.	H.F. No.	Session Laws Chapter No.	Date Approved 1981	Date Filed 1981
642		57	April 29	April 29
718		58	April 29	April 29

Sincerely,

Joan Anderson Growe
Secretary of State

MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to announce the passage by the House of the following Senate Files, herewith returned: S. F. Nos. 671 and 825.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned April 30, 1981

Mr. President:

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

S. F. No. 432: A bill for an act relating to taxation; providing dates for settlement of mortgage registry and deed tax receipts; providing for payment of excise tax on special fuel by bulk purchasers; clarifying responsibilities and authority of commissioner of revenue in administering and auditing mineral taxes; providing for filing requirements for royalty reports; amending Minnesota Statutes 1980, Sections 287.12; 287.29, Subdivision 1; 296.12, Subdivisions 3, 4, and 5, and by adding a subdivision; 298.09, by adding a subdivision; 298.15; 299.03; 299.05; and 299.12; and repealing Minnesota Statutes 1980, Section 287.29, Subdivision 2.

Senate File No. 432 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned April 30, 1981

Ms. Berglin moved that S. F. No. 432 be laid on the table. The motion prevailed.

Mr. President:

I have the honor to announce that the House refuses to concur in the Senate amendments to House File No. 704.

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

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

Brinkman, Gruenes and Kostohryz have been appointed as such committee

on the part of the House.

House File No. 704 is herewith transmitted to the Senate with the request that the Senate appoint a like committee.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted April 30, 1981

Mr. Pehler moved that the Senate accede to the request of the House for a Conference Committee on H. F. No. 704, and that a Conference Committee of 3 members be appointed by the Subcommittee on Committees on the part of the Senate, to act with a like Conference Committee appointed on the part of the House. The motion prevailed.

Mr. President:

I have the honor to announce that the House refuses to concur in the Senate amendments to House File No. 1052.

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

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

Aasness, Lehto and Norton have been appointed as such committee on the part of the House.

House File No. 1052 is herewith transmitted to the Senate with the request that the Senate appoint a like committee.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted April 30, 1981

Mr. Olhoft moved that the Senate accede to the request of the House for a Conference Committee on H. F. No. 1052, and that a Conference Committee of 3 members be appointed by the Subcommittee on Committees on the part of the Senate, to act with a like Conference Committee appointed on the part of the House. The motion prevailed.

Mr. President:

I have the honor to announce that the House refuses to concur in the Senate amendments to House File No. 1088.

H. F. No. 1088: A bill for an act relating to the secretary of state; requiring that government survey documents be maintained on microfilm; providing for filing certain documents with the Minnesota historical society; amending Minnesota Statutes 1980, Section 5.03.

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

Pogemiller, Rodriguez, F. and Kaley have been appointed as such committee on the part of the House.

House File No. 1088 is herewith transmitted to the Senate with the request that the Senate appoint a like committee.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted April 30, 1981

Mr. Pehler moved that the Senate accede to the request of the House for a Conference Committee on H. F. No. 1088, and that a Conference Committee of 3 members be appointed by the Subcommittee on Committees on the part of the Senate, to act with a like Conference Committee appointed on the part of the House. The motion prevailed.

Mr. President:

I have the honor to announce the passage by the House of the following House Files, herewith transmitted: H. F. Nos. 923, 936, 966, 161, 673, 788, 904 and 1132.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted April 30, 1981

FIRST READING OF HOUSE BILLS

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

H. F. No. 923: A bill for an act relating to education; tax levies; authorizing Independent School District No. 256 to adjust its 1981 levy for school maintenance purposes.

Referred to the Committee on Education.

H. F. No. 936: 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; sale of stumpage; 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; 282.04, Subdivision 1; proposing new law coded in Minnesota Statutes, Chapter 90.

Referred to the Committee on Rules and Administration for comparison with S. F. No. 1076, now on General Orders.

H. F. No. 966: A resolution memorializing the President and Congress to maintain the present schedule for natural gas price decontrol.

Referred to the Committee on Rules and Administration.

H. F. No. 161: A bill for an act relating to the city of Cloquet; permitting the city to contract, pay, and tax for certain public transportation services.

Referred to the Committee on Transportation.

H. F. No. 673: A bill for an act relating to commerce; increasing the amount of the surety bond required of collection agencies; authorizing the commissioner of securities and real estate to investigate and examine certain collection agencies; broadening the classification of prohibited practices; amending Minnesota Statutes 1980, Sections 332.34; 332.37; and 332.40.

Referred to the Committee on Rules and Administration for comparison with S. F. No. 477, now on General Orders.

H. F. No. 788: A bill for an act relating to courts; conciliation courts; authorizing actions to recover amounts lost due to worthless checks in the county of issuance and where the plaintiff resides; amending Minnesota Statutes 1980, Section 487.30, by adding a subdivision; 488A.12, Subdivision 3; and 488A.29, Subdivision 3.

Referred to the Committee on Judiciary.

H. F. No. 904: A bill for an act relating to unemployment compensation; including retroactive wage awards within the definition of wages for unemployment compensation purposes; amending Minnesota Statutes 1980, Section 268.04, Subdivisions 25, 26, and 29.

Referred to the Committee on Employment.

H. F. No. 1132: A bill for an act relating to the revenue recapture act; expanding the definition of claimant agencies to include counties and state district courts; amending Minnesota Statutes 1980, Sections 270A.02; and 270A.03, Subdivisions 2 and 5.

Referred to the Committee on Judiciary.

REPORTS OF COMMITTEES

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

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

H. F. Nos. 217 and 691 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.
217	1055				
691	1211				

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H. F. No. 217 be amended as follows:

Page 1, lines 12 and 13, delete "*western city limits of the city of Cosmos in Meeker County to the end of the trail at Clara City*" and insert "*West line of Government Lot 8, Section 17, Township 117 North of Range 32 West, in Meeker County, to the South right-of-way line of the public road intersecting the Trail, the intersection being on the line between the northwest quarter of the northwest quarter (NW1/4 NW1/4) of Section 17 and the northeast quarter of the northeast quarter (NE1/4 NE1/4) of Section 18, Township 117 North of Range 37 West.*"

Page 1, line 25, delete "*Counties*" and insert "*counties*"

Page 2, line 16, delete "*right-of-way*" and insert "*right of way*"

Page 3, delete lines 12 to 20

Page 3, line 21, delete "*5*" and insert "*4*"

Amend the title as follows:

Page 1, delete lines 2 to 6 and insert:

"relating to state trails; authorizing the conveyance of certain lands acquired by the department of natural resources for trail purposes."

And when so amended H. F. No. 217 will be identical to S. F. No. 1055, and further recommends that H. F. No. 217 be given its second reading and substituted for S. F. No. 1055, and that the Senate File be indefinitely postponed.

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H. F. No. 691 be amended as follows:

Page 1, lines 11 and 12, delete "*Except as provided in subdivision 4 hereof,*"

Page 1, line 14, after "*However,*" insert "*upon the court's own motion or*" and after "*proceedings,*" insert "*except those involving conciliation court matters or petty misdemeanors,*"

Page 1, lines 16 and 17, delete "*, or a court reporter who meets minimum qualifications promulgated by the supreme court,*"

Page 1, line 18, delete "*said*" and insert "*the*"

Page 1, line 19, after "OPERATOR" delete the comma and insert a semicolon

Page 1, line 20, delete "*shall have*" and insert "*has*"

Page 1, line 23, delete "*such*" and insert "*on any*" and after "*other*" insert "*appropriate*" and delete "*as the court deems appropriate*"

Page 1, line 24, delete "SPECIFICATION" and insert "SPECIFICATIONS"

Page 1, line 25, delete "*the purpose*" and insert "*purposes*"

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

Page 2, delete lines 4 to 22

Delete page 2, line 26 to page 3, line 5 and insert:

"~~Such~~ Except as provided in section 1, a registered professional reporter shall make a complete stenographic record of all testimony given and all proceedings had before the judge upon the trial of issues of fact, with or without a jury, or before any referee appointed by ~~such~~ the judge. In so doing he shall take down all questions ~~in the exact language thereof,~~ and all answers ~~thereto precisely~~ as given by the witness or by the sworn interpreter ~~in their exact language.~~ He shall also record, verbatim, all objections made, and the grounds ~~thereof~~ for them as stated by counsel, all rulings ~~thereon~~ on them, all exceptions taken, all motions, orders, and admissions made and the charge to the jury. When directed ~~so to do~~ by the judge, he shall make a like record of any other matter or proceeding, and shall read to ~~such~~ the judge or referee any record made by him, or transcribe ~~the same~~ it, without charge, for any purpose in furtherance of justice."

Page 3, delete lines 9 to 17 and insert:

"As soon as the trial is ended, the reporter or operator of electronic record-

ing equipment shall file his stenographic report ~~thereof or tape recording of it~~ with the clerk, or elsewhere, if the judge ~~shall so direct~~ ~~directs; and~~. Upon request of any person interested and payment or tender of his fees ~~therefor~~, he shall furnish a transcript of ~~such the~~ record in the words and figures represented by the characters used in making ~~the same and for that purpose it~~. He may take and retain ~~such the~~ record ~~so for as long as may be necessary; when it shall be returned to the files to prepare the transcript.~~

Page 3, delete lines 19 to 22 and insert:

"Section 1, subdivision 3 is effective the day after final enactment. Sections 1, subdivisions 1 and 2; 2; and 3 are effective upon promulgation of the specifications and minimum qualifications as provided in section 1, subdivision 3."

Amend the title as follows:

Page 1, line 2, delete "court reporting" and insert "courts"

Page 1, line 3, delete "district"

Page 1, line 5, after "486.02" insert a semicolon and before "proposing" delete "and"

And when so amended H. F. No. 691 will be identical to S. F. No. 1211, and further recommends that H. F. No. 691 be given its second reading and substituted for S. F. No. 1211, and that the Senate File be indefinitely postponed.

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

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

H. F. No. 515 for comparison with companion Senate File, reports the following House File was found identical and recommends the House File be given its second reading and substituted for its companion Senate File as follows:

GENERAL ORDERS		CONSENT CALENDAR		CALENDAR	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
515	656				

and that the above Senate File be indefinitely postponed.

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

SECOND READING OF SENATE BILLS

S. F. Nos. 1391 and 1392 were read the second time.

SECOND READING OF HOUSE BILLS

H. F. Nos. 217, 691 and 515 were read the second time.

MOTIONS AND RESOLUTIONS

Mr. Petty moved that the name of Mr. Merriam be added as co-author to S. F. No. 730. The motion prevailed.

Mr. Peterson, C.C. moved that the name of Mr. Merriam be added as co-author to S. F. No. 992. The motion prevailed.

Mr. Moe, R. D. moved that House Concurrent Resolution No. 3 be taken from the table. The motion prevailed.

House Concurrent Resolution No. 3: A House concurrent resolution providing for a joint convention of the Senate and the House of Representatives to elect members of the Board of Regents of the University of Minnesota.

BE IT RESOLVED by the House of Representatives of the state of Minnesota, the Senate concurring:

(1) The House of Representatives and the Senate shall meet in joint convention on Monday, May 4, 1981, at 5:00 p.m. in the chamber of the House of Representatives to elect members to the Board of Regents of the University of Minnesota.

(2) The Education Committee of the Senate and the Education Committee of the House of Representatives, in a joint meeting, are appointed to submit a slate of nominations and to report the slate at the meeting of the joint convention.

Mr. Moe, R. D. moved the adoption of the foregoing resolution. The motion prevailed. So the resolution was adopted.

Remaining on the Order of Business of Motions and Resolutions, Mr. Moe, R. D. moved to take up the Senate Calendar and waive the lie-over requirement. The motion prevailed.

CALENDAR

H. F. No. 211: A bill for an act relating to local government; permitting agreements for compensation for transfers of taxable property in certain annexations; proposing new law coded in Minnesota Statutes, Chapter 414.

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

So the bill passed and its title was agreed to.

H. F. No. 443: A bill for an act relating to education; specifying the author-

ity of a school board for selection and employment of a superintendent; amending Minnesota Statutes 1980, Section 123.34, Subdivision 9.

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

The question was taken on the passage of the bill.

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

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

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

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

So the bill passed and its title was agreed to.

H. F. No. 634: A bill for an act relating to securities; providing for improved

regulation of the sale of securities and the licensing of broker-dealers, agents, and investment advisers; making miscellaneous clarifications and revisions; amending Minnesota Statutes 1980, Sections 80A.04, Subdivision 4; 80A.05, Subdivision 1; 80A.07, Subdivision 1; 80A.12, Subdivision 3; 80A.14; 80A.15, Subdivisions 1 and 2; 80A.16; 80A.21, Subdivision 1; 80A.28, Subdivisions 1, 2, 3, 4 and 7, and by adding a subdivision; 80A.30, Subdivision 2.

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

So the bill passed and its title was agreed to.

S. F. No. 64: A bill for an act relating to no-fault automobile insurance; increasing basic economic loss benefits; increasing the weekly maximums for certain first-party benefits; clarifying legislative intent concerning stacking of insurance policies; coordinating the priority of applicability of security for payment of certain benefits; increasing residual liability benefits; increasing certain uninsured benefits; establishing tort threshold limitations on uninsured motorist coverage; providing mandatory underinsured motorist coverage; amending Minnesota Statutes 1980, Sections 65B.44, Subdivisions 1, 3, 6, and 7; 65B.47, Subdivision 2, and by adding subdivisions; and 65B.49, Subdivisions 3 and 4, 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 27 and nays 32, as follows:

Those who voted in the affirmative were:

Berglin	Johnson	Moe, R. D.	Petty	Stokowski
Dahl	Lantry	Nelson	Schmitz	Stumpf
Dicklich	Luther	Olhoft	Sikorski	Tennessee
Dieterich	Menning	Pehler	Solon	
Frank	Merriam	Penny	Spear	
Hanson	Moe, D. M.	Peterson, R.W.	Stern	

Those who voted in the negative were:

Ashbach	Brataas	Kroening	Pillsbury	Vega
Bang	Chmielewski	Kronebusch	Ramstad	Waldorf
Belanger	Davies	Langseth	Renneke	Wegener
Benson	Davis	Lessard	Rued	Willet
Berg	Engler	Lindgren	Setzepfandt	
Bernhagen	Frederickson	Peterson, C.C.	Taylor	
Bertram	Knutson	Peterson, D.L.	Ulland	

So the bill failed to pass.

H. F. No. 932: A bill for an act relating to taxation; income; property tax refund; making technical corrections; deleting obsolete provisions; amending Minnesota Statutes 1980, Sections 290.01, Subdivisions 3, 19, 20, 21, 22, 23, 25, 26, and 27; 290.011; 290.032, Subdivision 2; 290.06, Subdivisions 1, 2c, 3e, 3f, and 11; 290.07, Subdivision 3; 290.071, Subdivisions 2 and 3; 290.075; 290.077, Subdivisions 1 and 2; 290.079, Subdivision 6; 290.08, Subdivision 8; 290.081; 290.085; 290.09, Subdivisions 1, 2, 4, 5, 6, 7, 10, 15, 18, 21, and 29; 290.095, Subdivision 2; 290.10; 290.101, Subdivision 9; 290.12, Subdivisions 1, 2, and 4; 290.13, Subdivision 5; 290.131, Subdivisions 1 and 3; 290.132, Subdivision 1; 290.133, Subdivision 2; 290.134, Subdivision 1; 290.135, Subdivision 1; 290.14; 290.16, Subdivisions 1, 3, 7, 8, 9, 12, and 13; 290.17, Subdivision 2; 290.18, Subdivisions 1 and 2; 290.21, Subdivisions 1, 3, 3a, 4, and 7; 290.22; 290.23, Subdivisions 3, 5, 9, and 15; 290.25, Subdivision 1; 290.26, Subdivisions 1, 2a, and 3; 290.281, Subdivision 2; 290.31, Subdivisions 2, 3, 4, 6, 9, 10, 11, 21, and by adding a subdivision; 290.32; 290.34, Subdivision 3; 290.35; 290.39, Subdivision 1; 290.42; 290.45, Subdivision 3; 290.46; 290.48, Subdivision 2; 290.49, Subdivisions 1 and 4; 290.50, Subdivisions 1, 3, and 5; 290.53, Subdivisions 1 and 4; 290.56, Subdivisions 2, 3, and 4; 290.92, Subdivisions 5, 6, 16, and 19; 290.93, Subdivisions 5 and 6; 290.932, Subdivisions 1 and 4; 290A.03, Subdivisions 3 and 13; 290A.04, Subdivisions 2 and 2c; 290A.06; and 290A.07, Subdivision 2; repealing Minnesota Statutes 1980, Sections 290.076; 290.08, Subdivisions 7 and 13; 290.131, Subdivisions 4, 5, 6, and 7; 290.133, Subdivision 3; 290.134, Subdivisions 2, 3, and 4; 290.135, Subdivisions 2, 3, and 4; 290.23, Subdivisions 1, 2, 6, 7, 8, 10, 11, 12, 13, and 14; 290.24; 290.25, Subdivisions 2, 3, 4, and 5; 290.26, Subdivisions 4 and 7; 290.27; 290.28; 290.60; 290.65, Subdivision 17; 290.931, Subdivision 4; 290.932, Subdivision 3; 290.933, Subdivision 3; and 290.934, Subdivision 6.

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

So the bill passed and its title was agreed to.

H. F. No. 486: A resolution memorializing the Congress and the President of the United States to cease all military and economic aid to El Salvador.

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

The question was taken on the passage of the resolution.

The roll was called, and there were yeas 40 and nays 17, as follows:

Those who voted in the affirmative were:

Berglin	Johnson	Moe, D. M.	Petty	Stokowski
Chmielewski	Knoll	Moe, R. D.	Purfeerst	Stumpf
Davies	Kroening	Nelson	Schmitz	Tennessen
Dicklich	Langseth	Olhoft	Setzepfandt	Ulland
Dieterich	Lantry	Pehler	Sikorski	Vega
Frank	Lessard	Penny	Solon	Waldorf
Frederickson	Luther	Peterson, C. C.	Spear	Wegener
Hanson	Merriam	Peterson, R. W.	Stern	Willet

Those who voted in the negative were:

Ashbach	Bernhagen	Davis	Menning	Taylor
Bang	Bertram	Engler	Pillsbury	
Belanger	Brataas	Knutson	Ramstad	
Berg	Dahl	Kronebusch	Rued	

So the resolution passed and its title was agreed to.

H. F. No. 54: A bill for an act relating to meetings of public bodies; allowing public employers to determine negotiation strategy at a nonpublic meeting; amending Minnesota Statutes 1980, Section 471.705, 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 50 and nays 11, as follows:

Those who voted in the affirmative were:

Ashbach	Dahl	Langseth	Peterson, C. C.	Setzepfandt
Bang	Davies	Lantry	Peterson, D. L.	Sikorski
Belanger	Dicklich	Lessard	Peterson, R. W.	Solon
Benson	Dieterich	Menning	Petty	Stern
Berg	Engler	Moe, D. M.	Pillsbury	Stokowski
Berglin	Frank	Moe, R. D.	Purfeerst	Taylor
Bernhagen	Frederickson	Nelson	Ramstad	Tennessen
Bertram	Hanson	Olhoft	Renneke	Ulland
Brataas	Knutson	Pehler	Rued	Wegener
Chmielewski	Kronebusch	Penny	Schmitz	Willet

Those who voted in the negative were:

Davis	Kroening	Luther	Spear	Vega
Johnson	Lindgren	Merriam	Stumpf	Waldorf
Knoll				

So the bill passed and its title was agreed to.

H. F. No. 28: A bill for an act relating to agriculture; prohibiting pension or investment funds from farming or acquiring certain farm land; amending Minnesota Statutes 1980, Section 500.24, Subdivisions 2, 3, 4 and 5.

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

Mr. Ulland voted in the negative.

So the bill passed and its title was agreed to.

H. F. No. 829: A bill for an act relating to counties; concerning Anoka county; providing for a seven member board of commissioners; amending Minnesota Statutes 1980, Section 375.01.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 38 and nays 21, as follows:

Those who voted in the affirmative were:

Berglin	Johnson	Moe, D. M.	Purfeerst	Stumpf
Chmielewski	Knoll	Moe, R. D.	Schmitz	Tennessee
Dahl	Kroening	Nelson	Setzepfandt	Vega
Davies	Langseth	Olhoft	Sikorski	Waldorf
Davis	Lantry	Pehler	Solon	Wegener
Dicklich	Lessard	Penny	Spear	Willet
Frank	Luther	Peterson, C. C.	Stern	
Hanson	Merriam	Petty	Stokowski	

Those who voted in the negative were:

Ashbach	Bernhagen	Frederickson	Pillsbury	Ulland
Bang	Bertram	Knutson	Ramstad	
Belanger	Brataas	Kronebusch	Renneke	
Benson	Dieterich	Menning	Rued	
Berg	Engler	Peterson, R. W.	Taylor	

So the bill passed and its title was agreed to.

H. F. No. 407: A bill for an act relating to insurance; modifying the definition of a covered claim for purposes of the state's insurance guaranty association act; amending Minnesota Statutes 1980, Section 60C.09, 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 61 and nays 0, as follows:

Those who voted in the affirmative were:

Ashbach	Brataas	Frank	Langseth	Moe, R. D.
Bang	Chmielewski	Frederickson	Lantry	Nelson
Belanger	Dahl	Hanson	Lessard	Olhoft
Benson	Davies	Johnson	Lindgren	Pehler
Berg	Davis	Knoll	Luther	Penny
Berglin	Dicklich	Knutson	Menning	Peterson, C. C.
Bernhagen	Dieterich	Kroening	Merriam	Peterson, D. L.
Bertram	Engler	Kronebusch	Moe, D. M.	Peterson, R. W.

Petty	Rued	Spear	Tennessee	Willet
Pillsbury	Schmitz	Stern	Ulland	
Purfeerst	Setzepfandt	Stokowski	Vega	
Ramstad	Sikorski	Stumpf	Waldorf	
Renneke	Solon	Taylor	Wegener	

So the bill passed and its title was agreed to.

S. F. No. 767: A bill for an act relating to counties; providing for publication of certain financial information; proposing new law coded in Minnesota Statutes, Chapter 375; repealing Minnesota Statutes 1980, Section 375.17.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 56 and nays 4, as follows:

Those who voted in the affirmative were:

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

Messrs. Chmielewski, Knutson, Lessard and Peterson, R. W. voted in the negative.

So the bill passed and its title was agreed to.

S. F. No. 1005: A bill for an act relating to local housing programs; authorizing certain combined multifamily housing and health care facility developments; providing an exemption from the limits on aggregate amount of bonds that may be issued; amending Minnesota Statutes 1980, Section 462C.05, Subdivision 1, 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 59 and nays 1, as follows:

Those who voted in the affirmative were:

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

Mr. Tennessee voted in the negative.

So the bill passed and its title was agreed to.

H. F. No. 588: A bill for an act relating to financial institutions; providing for maximum interest rates on overdraft checking loans; amending Minnesota Statutes 1980, Section 48.185, 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 42 and nays 17, as follows:

Those who voted in the affirmative were:

Ashbach	Dahl	Menning	Petty	Stern
Bang	Davies	Moe, R. D.	Pillsbury	Stokowski
Belanger	Davis	Nelson	Purfeerst	Taylor
Benson	Engler	Olhoft	Ramstad	Tennessen
Berg	Frederickson	Pehler	Renneke	Ulland
Bernhagen	Hanson	Penny	Rued	Wegener
Bertram	Knutson	Peterson, C. C.	Schmitz	
Brataas	Kronebusch	Peterson, D. L.	Setzepfandt	
Chmielewski	Lindgren	Peterson, R. W.	Solon	

Those who voted in the negative were:

Berglin	Johnson	Lessard	Spear	Willet
Dicklich	Kroening	Luther	Stumpf	
Dieterich	Langseth	Merriam	Vega	
Frank	Lantry	Sikorski	Waldorf	

So the bill passed and its title was agreed to.

S. F. No. 804: A bill for an act relating to motor vehicles; providing for the re-registration of certain motor vehicles and combinations of vehicles; defining gross vehicle weight; exempting certain vehicles from certain weight limitations; establishing gross weight limitations on certain highways for certain motor vehicles and combinations of vehicles; providing exceptions to certain gross weight limitations; providing for the designation and undesignation of certain routes; providing for the weighing of certain vehicles and combinations of vehicles and the enforcement of weight limitations; allowing the use of certain documents as relevant evidence of exceeding vehicle weight limits, and providing exceptions; requiring record keeping for shipments loaded or unloaded, and providing exceptions; imposing civil and criminal penalties; amending Minnesota Statutes 1980, Sections 168.013, Subdivision 3; 169.01, Subdivision 46; 169.03, Subdivision 6; 169.832, Subdivision 11; 169.85; 169.851; 169.86, Subdivision 1a; 169.87, Subdivision 2; 169.871; 169.872; proposing new law coded in Minnesota Statutes, Chapter 169; repealing Minnesota Statutes 1980, Sections 169.83; 169.832, Subdivisions 1, 2, 3, 4, 5, 6, 7, 8, 9, 10 and 12; and 169.834.

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 44 and nays 15, as follows:

Those who voted in the affirmative were:

Bang	Frank	Luther	Peterson, C. C.	Stern
Belanger	Frederickson	Menning	Peterson, R. W.	Stokowski
Bernhagen	Hanson	Merriam	Petty	Stumpf
Chmielewski	Johnson	Moe, D. M.	Pillsbury	Taylor
Dahl	Kronebusch	Moe, R. D.	Purfeerst	Tennessen
Davies	Langseth	Nelson	Ramstad	Vega
Davis	Lantry	Olhoft	Schmitz	Wegener
Dicklich	Lessard	Pehler	Sikorski	Willet
Engler	Lindgren	Penny	Solon	

Those who voted in the negative were:

Benson	Bertram	Knoll	Peterson, D.L.	Setzepfandt
Berg	Brataas	Knutson	Renneke	Ulland
Berglin	Dieterich	Kroening	Rued	Waldorf

So the bill passed and its title was agreed to.

S. F. No. 461: A bill for an act relating to intoxicating liquor; authorizing off-sale licensees to dispense samples of wine, liqueurs and cordials; amending Minnesota Statutes 1980, Section 340.11, Subdivision 15.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 43 and nays 17, as follows:

Those who voted in the affirmative were:

Bang	Frederickson	Lindgren	Pillsbury	Stumpf
Belanger	Hanson	Luther	Purfeerst	Tennessee
Benson	Johnson	Merriam	Ramstad	Ulland
Berglin	Knoll	Moe, D. M.	Rued	Vega
Brataas	Kroening	Moe, R. D.	Schmitz	Waldorf
Dahl	Kronebusch	Nelson	Sikorski	Wegener
Davies	Langseth	Penny	Spear	Willet
Dicklich	Lantry	Peterson, R. W.	Stern	
Dieterich	Lessard	Petty	Stokowski	

Those who voted in the negative were:

Berg	Davis	Menning	Peterson, D.L.	Taylor
Bernhagen	Engler	Olhoft	Renneke	
Bertram	Frank	Pehler	Setzepfandt	
Chmielewski	Knutson	Peterson, C. C.	Solon	

So the bill passed and its title was agreed to.

S. F. No. 975: A bill for an act relating to commerce; eliminating the state override of the federal usury preemption on certain loans; repealing Minnesota Statutes 1980, Section 47.203.

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 17, as follows:

Those who voted in the affirmative were:

Ashbach	Davies	Menning	Petty	Stern
Bang	Davis	Moe, R. D.	Pillsbury	Taylor
Belanger	Engler	Nelson	Purfeerst	Tennessee
Benson	Frederickson	Olhoft	Ramstad	Ulland
Berg	Hanson	Pehler	Renneke	Wegener
Bernhagen	Kronebusch	Penny	Rued	
Bertram	Langseth	Peterson, C. C.	Schmitz	
Brataas	Lessard	Peterson, D. L.	Setzepfandt	
Dahl	Lindgren	Peterson, R. W.	Solon	

Those who voted in the negative were:

Berglin	Johnson	Luther	Spear	Willet
Chmielewski	Knutson	Merriam	Stumpf	
Dicklich	Kroening	Moe, D. M.	Vega	
Frank	Lantry	Sikorski	Waldorf	

So the bill passed and its title was agreed to.

H. F. No. 889: A bill for an act relating to water well contractors; altering the exemption from license requirements for certain registered professional engineers; amending Minnesota Statutes 1980, Section 156A.03, Subdivision 3.

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

Ms. Berglin voted in the negative.

So the bill passed and its title was agreed to.

S. F. No. 1179: A bill for an act relating to state government; providing for the appropriation of funds equal to the value of transferred assets when certain assets are transferred among state agencies; directing the state auditor to determine certain adjustments to foundation aid payments; transferring to the commissioner of finance certain duties of the state auditor related to Minnesota aeronautics bonds; providing for the state auditor to approve bonds for officers and employees of regional development commissions; providing for audits of housing and redevelopment authorities under certain conditions; transferring duties of the state auditor to the commissioner of finance related to state taxes on the sale of certain obligations; appropriating money; amending Minnesota Statutes 1980, Sections 16.73; 360.302; 462.389, Subdivisions 2 and 4; and 475.73, 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 61 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

H. F. No. 659: A bill for an act relating to retirement; St. Paul teachers retirement fund association; removing an expiration date on authority to provide post retirement increases in certain instances; authorizing reduced early retirement in certain instances; amending Laws 1979, Chapter 109, Section 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 59 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

H. F. No. 582: A bill for an act relating to natural resources; permitting conservation officers to enforce prohibitions of vandalism of shelters and facilities on state and local trails; 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.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 61 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

S. F. No. 1264: A bill for an act relating to taxation; correcting the formula for limiting the property tax credit for transmission lines; amending Minnesota Statutes 1980, Section 273.42, 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 61 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

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

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	Dieterich	Lessard	Peterson, R. W.	Stern
Benson	Engler	Lindgren	Petty	Stokowski
Berg	Frank	Luther	Pillsbury	Stumpf
Berglin	Frederickson	Menning	Purfeerst	Taylor
Bernhagen	Hanson	Merriam	Ramstad	Tennessen
Bertram	Johnson	Moe, D. M.	Renneke	Ulland
Brataas	Knoll	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.

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

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	Berglin	Dahl	Engler	Johnson
Bang	Bernhagen	Davies	Frank	Knoll
Belanger	Bertram	Davis	Frederick	Knutson
Benson	Brataas	Dicklich	Frederickson	Kroening
Berg	Chmielewski	Dieterich	Hanson	Kronebusch

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

So the bill passed and its title was agreed to.

S. F. No. 665: A bill for an act relating to insurance; establishing standards applicable to accident or health insurance policies which purport to supplement medicare benefits; prescribing minimum levels of coverage; providing for certain disclosures; and prescribing penalties; amending Minnesota Statutes 1980, Section 62E.02, Subdivision 5; 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 62 and nays 0, as follows:

Those who voted in the affirmative were:

Ashbach	Dicklich	Lantry	Peterson, D.L.	Stern
Bang	Dieterich	Lessard	Peterson, R.W.	Stokowski
Belanger	Engler	Lindgren	Petty	Stumpf
Benson	Frank	Luther	Pillsbury	Taylor
Berg	Frederick	Menning	Purfeerst	Tennessee
Berglin	Frederickson	Merriam	Ramstad	Ulland
Bernhagen	Hanson	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.

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:

H. F. No. 79: Messrs. Petty, Purfeerst and Ulland.

H. F. No. 326: Messrs. Sikorski, Knutson and Nelson.

H. F. No. 1088: Messrs. Pehler, Lindgren and Dicklich.

H. F. No. 704: Messrs. Pehler, Engler and Menning.

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

motion prevailed.

MOTIONS AND RESOLUTIONS - CONTINUED

Mr. Willet moved that H. F. No. 1434 be taken from the table. The motion prevailed.

SUSPENSION OF RULES

Mr. Willet moved that an urgency be declared within the meaning of Article IV, Section 19, of the Constitution of Minnesota, with respect to H. F. No. 1434 and that the rules of the Senate be so far suspended as to give H. F. No. 1434 its second and third reading and place it on its final passage. The motion prevailed.

H. F. No. 1434: A bill for an act relating to the organization and operation of state government; appropriating money for the department of transportation and for other agencies with certain conditions; amending Minnesota Statutes 1980, Sections 12.14; 43.491, Subdivision 2; 46.131, Subdivision 3; 161.242, Subdivision 4; 169.451; 173.25; 174.255, by adding a subdivision; 216B.62, Subdivision 3, and by adding a subdivision; 237.295, Subdivision 2, and by adding a subdivision; 239.10; 239.52; 326.241, Subdivision 3; 326.244, Subdivision 2; 340.11, Subdivision 14; 340.113, Subdivision 2; 340.119, Subdivision 3; 340.402; 340.493, Subdivision 2; 340.62; 360.021, Subdivisions 1 and 2; 360.305, by adding subdivisions; 388.14; 388.19, Subdivision 1; and 414.051; proposing new law coded in Minnesota Statutes, Chapter 138.

H. F. No. 1434 was read the second time.

Mr. Menning moved to amend H.F. No. 1434 as follows:

Delete the language after the enacting clause of H. F. No. 1434 and insert the language after the enacting clause of S. F. No. 1392 as introduced; further, delete the title of H. F. No. 1434 and insert the title of S. F. No. 1392 as introduced. The motion prevailed. So the amendment was adopted.

Mr. Ashbach moved to amend H. F. No. 1434, as amended by the Senate May 1, 1981, as follows:

(The text of the amended House File is identical to S. F. No. 1392.)

Page 5, line 10, delete "\$5,828,000" and insert "\$3,496,800"

Page 5, line 10, delete "\$6,135,000" and insert "\$3,681,000"

Page 5, after line 10, insert:

"Notwithstanding the provisions of Minnesota Statutes, Section 473.408, Subdivision 3, the metropolitan transit commission shall establish social fares based upon the maximum amount allowed by federal law to be charged. Social fares not provided for by federal law shall be established in the same manner as those which are provided for in federal law."

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 19 and nays 42, as follows:

Those who voted in the affirmative were:

Ashbach	Berg	Frederick	Peterson, D.L.	Sieloff
Bang	Bernhagen	Frederickson	Pillsbury	Taylor
Belanger	Brataas	Knutson	Renneke	Ulland
Benson	Engler	Kronebusch	Rued	

Those who voted in the negative were:

Berglin	Hanson	Merriam	Petty	Stumpf
Bertram	Johnson	Moe, D.M.	Purfeerst	Tennessen
Chmielewski	Knoll	Moe, R.D.	Ramstad	Vega
Dahl	Kroening	Nelson	Schmitz	Waldorf
Davies	Langseth	Olhoft	Sikorski	Wegener
Davis	Lantry	Pehler	Solon	Willet
Dicklich	Lessard	Penny	Spear	
Dieterich	Luther	Peterson, C.C.	Stern	
Frank	Menning	Peterson, R.W.	Stokowski	

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

Mr. Schmitz moved to amend H. F. No. 1434, as amended by the Senate May 1, 1981, as follows:

(The text of the amended House File is identical to S. F. No. 1392.)

Page 39, line 12, after the period, insert "When contracting for services, the commission shall, whenever practicable, give strong consideration to those providers who actively recruit and utilize the resources of private volunteers and citizens."

The motion prevailed. So the amendment was adopted.

H.F. No. 1434 was read the third time, as amended, and placed on its final passage:

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

The roll was called, and there were yeas 55 and nays 7, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Bang	Lindgren	Rued	Sieloff	Ulland
Benson	Renneke			

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

MOTIONS AND RESOLUTIONS - CONTINUED

Mr. Willet moved that H. F. No. 1446 be taken from the table. The motion prevailed.

SUSPENSION OF RULES

Mr. Willet moved that an urgency be declared within the meaning of Article

IV, Section 19, of the Constitution of Minnesota, with respect to H. F. No. 1446 and that the rules of the Senate be so far suspended as to give H. F. No. 1446 its second and third reading and place it on its final passage. The motion prevailed.

H. F. No. 1446: A bill for an act relating to the organization and operation of state government; appropriating money for welfare, corrections, health, and other purposes with certain conditions; providing appropriations for the departments of public welfare, economic security, corrections, health, sentencing guidelines, corrections ombudsman, and health related boards; amending Minnesota Statutes 1980, Sections 241.021, by adding subdivisions; 241.13; 241.69, Subdivision 4; 245.0313; 245.765, Subdivision 1; 246.151; 254A.03, by adding a subdivision; 256.73, Subdivision 2; 256.76, Subdivision 1; 256B.02, Subdivision 8; 256B.06, Subdivision 1; 256B.091, by adding a subdivision; 256B.15; 256B.17; 256D.01, Subdivision 1; 256D.02, Subdivisions 4 and 13; 256D.05, Subdivision 3, and by adding a subdivision; 256D.06, Subdivision 1, and by adding a subdivision; 256D.08, Subdivision 2; 256D.09, Subdivision 1; 256D.11, Subdivisions 1, 8 and 9, and by adding a subdivision; 260.311, Subdivision 5; 393.07, Subdivision 10; 401.04; and 401.12; proposing new law coded in Minnesota Statutes, Chapters 144; 245; 256D and 257; repealing Minnesota Statutes, Sections 256D.06, Subdivisions 1a and 2; 256D.09, Subdivision 2; and 256D.11, Subdivisions 1a, 2a, and 3a.

H. F. No. 1446 was read the second time.

Mr. Sikorski moved to amend H. F. No. 1446 as follows:

Delete the language after the enacting clause of H. F. No. 1446 and insert the language after the enacting clause of S. F. No. 1391 as introduced; further, delete the title of H. F. No. 1446 and insert the title of S. F. No. 1391 as introduced. The motion prevailed. So the amendment was adopted.

Mr. Ulland moved to amend H.F. No. 1446, as amended by the Senate May 1, 1981, as follows:

(The text of the amended House File is identical to S.F. No. 1391.)

Page 18, delete section 17

Page 63, line 32, delete everything before "are" and insert "Sections 59, 60, 61, 63, 68, 70 and 76"

Renumber the sections in sequence.

Correct the internal references

Amend the title as follows:

Page 1, line 29, delete "145;"

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

Mr. Renneke moved to amend H.F. No. 1446, as amended by the Senate May 1, 1981, as follows:

(The text of the amended House File is identical to S.F. No. 1391.)

Page 46, line 12, after the period, insert "Payment shall be made for 75 percent of the applicable per diem rate for each day on which the eligible

individual is not in the nursing home or facility."

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 17 and nays 42, as follows:

Those who voted in the affirmative were:

Ashbach	Berg	Knutson	Ramstad	Taylor
Bang	Bernhagen	Kronebusch	Renneke	
Belanger	Brataas	Lindgren	Rued	
Benson	Frederick	Pillsbury	Sieloff	

Those who voted in the negative were:

Berglin	Frederickson	Menning	Peterson, R. W.	Stokowski
Bertram	Hanson	Merriam	Petty	Stumpf
Chmielewski	Johnson	Moe, D. M.	Purfeerst	Vega
Dahl	Knoll	Moe, R. D.	Schmitz	Waldorf
Davies	Kroening	Nelson	Setzepfandt	Wegener
Davis	Langseth	Olhoft	Sikorski	Willett
Dicklich	Lantry	Pehler	Solon	
Dieterich	Lessard	Penny	Spear	
Frank	Luther	Peterson, C. C.	Stern	

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

Mr. Lindgren moved to amend H.F. No. 1446, as amended by the Senate May 1, 1981, as follows:

(The text of the amended House File is identical to S.F. No. 1391.)

Page 7, line 18, delete "\$1,901,400" and insert "\$2,086,400" and delete "\$1,936,400" and insert "\$2,121,400"

Page 7, after line 22, insert:

"The approved complement of the department of public welfare is increased by three professional positions and one clerical position for the purposes of section 80."

Page 11, line 27, delete "1,280,900" and insert "1,330,900" and delete "1,268,300" and insert "1,318,300"

Page 11, after line 27 insert:

"The approved complement of the department of corrections is increased by one professional position and one-half clerical position for the purposes of section 80."

Page 12, delete section 6

Page 63, after line 27, insert:

"Sec. 80. Minnesota Statutes 1980, Section 254A.03, is amended by adding a subdivision to read:

Subd. 3. The state authority on alcohol and drug abuse is directed to coordinate and support efforts within state departments and agencies and to coordinate and support efforts within other governmental and non-governmental agencies, groups, and organizations to prevent problems related to the use of drugs and alcohol. This function shall be headed by a director who shall be in the unclassified service. The responsibilities of the director shall be to:

(a) Coordinate all activities, planning, and programs of all the various state departments and agencies as they relate to the prevention of chemical use problems;

(b) Provide technical assistance, coordination, and support to governmental and non-governmental agencies, groups, and organizations;

(c) Inform and educate the general public on the prevention of chemical use problems;

(d) Develop and distribute prevention information, training, materials, and resources to state departments and agencies and to other governmental and non-governmental agencies, groups, and organizations; and

(e) Report annually to the governor and the legislature on matters pertaining to this section and to report by December 31, 1984, to the legislature on the need for continuation of this function."

Page 63, line 29, after "Sections" insert "241.41; 241.42; 241.43; 241.44; 241.45;"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 8, delete "corrections ombudsman,"

Page 1, line 16, after "246.54;" insert "254A.03, by adding a subdivision"

Page 1, line 30, after "Sections" insert "241.41; 241.42; 241.43; 241.44; 241.45;"

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 21 and nays 39, as follows:

Those who voted in the affirmative were:

Ashbach	Bernhagen	Knutson	Ramstad	Ulland
Bang	Brataas	Kronebusch	Renneke	
Belanger	Engler	Lindgren	Rued	
Benson	Frederick	Peterson, D. L.	Sieloff	
Berg	Frederickson	Pillsbury	Taylor	

Those who voted in the negative were:

Berglin	Frank	Merriam	Peterson, R. W.	Stern
Bertram	Knoll	Moe, D. M.	Petty	Stokowski
Chmielewski	Kroening	Moe, R. D.	Purfeerst	Stumpf
Dahl	Langseth	Nelson	Schmitz	Vega
Davies	Lantry	Olhoft	Setzepfandt	Waldorf
Davis	Lessard	Pehler	Sikorski	Wegener
Dicklich	Luther	Penny	Solon	Willet
Dieterich	Menning	Peterson, C. C.	Spear	

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

Mr. Knutson moved to amend H.F. No. 1446, as amended by the Senate May 1, 1981, as follows:

(The text of the amended House File is identical to S.F. No. 1391.)

Page 63, after line 27, insert:

"Sec. 80. [257.021] [DUTY OF STEPPARENT TO SUPPORT STEPCHILD.]

Subdivision 1. [IN GENERAL.] Notwithstanding section 257.02, a stepparent shall be legally obligated to support a stepchild living in the same household to the same extent that a natural or adoptive parent is required to support a child. The natural or adoptive parent shall retain the primary support obligation.

Subd. 2. [MARRIAGE TERMINATION.] Termination of marriage between the stepparent and the stepchild's natural or adoptive parent shall terminate the support obligation described in subdivision 1.

Subd. 3. [SUPPORT ENFORCEMENT.] A stepparent may recover support for a stepchild from the natural or adoptive parent under the same conditions as any other obligee.

Subd. 4. [DEFINITIONS.] "Stepparent" means a person ceremonially married to a child's natural or adoptive parent who is not the child's natural or adoptive parent, or a person who is living with a natural or adoptive parent as a common law spouse, whose common law marriage was entered into in a state which recognizes the validity of common law marriages.

"Stepchild" means a child with a stepparent.

Subd. 5. [LIMITATIONS.] This section shall not be construed to affect custody determinations or any parental duty other than the duty to support the stepchild."

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 29, after "256D;" insert "257;"

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 12 and nays 41, as follows:

Those who voted in the affirmative were:

Ashbach	Brataas	Knutson	Ramstad	Taylor
Bang	Frederick	Pillsbury	Renneke	Ulland
Benson	Frederickson			

Those who voted in the negative were:

Belanger	Dicklich	Lessard	Petty	Stumpf
Berg	Dieterich	Luther	Purfeerst	Tennessen
Berglin	Frank	Menning	Rued	Vega
Bernhagen	Hanson	Merriam	Setzepfandt	Wegener
Bertram	Knoll	Moe, R. D.	Sikorski	Willet
Chmielewski	Kroening	Nelson	Solon	
Dahl	Kronebusch	Olhoft	Spear	
Davies	Langseth	Penny	Stern	
Davis	Lantry	Peterson, R. W.	Stokowski	

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

Mr. Rued moved to amend H.F. No. 1446, as amended by the Senate May 1, 1981, as follows:

(The text of the amended House File is identical to S.F. No. 1391.)

Page 38, after line 36, insert:

"Sec. 48. Minnesota Statutes 1980, Section 357.021, Section 2, is amended to read:

Subd. 2. The fees to be charged and collected by the clerk of district court shall be as follows:

(1) In every civil action or proceeding in said court, the plaintiff, petitioner, or other moving party shall pay, when the first paper on his part is filed in said action, a fee of \$20, *except that in an action for marriage dissolution, a fee of \$40.*

The defendant or other adverse or intervening party, or any one or more of several defendants or other adverse or intervening parties appearing separately from the others, shall pay, when the first paper on his or their part is filed in said action, a fee of \$15.

The party requesting a trial by jury shall pay \$15.

The fees above stated shall be the full trial fee chargeable to said parties irrespective of whether trial be to the court alone, to the court and jury, or disposed of without trial, and shall include the entry of judgment in the action, but does not include copies or certified copies of any papers so filed or proceedings under chapter 106, except the provisions therein as to appeals.

(2) Certified copy of any instrument from a civil or criminal proceeding \$5 and \$3.50 for an uncertified copy.

(3) Issuing a subpoena \$1 for each name.

(4) Issuing an execution and filing the return thereof; issuing a writ of attachment, injunction, habeas corpus, mandamus, quo warranto, certiorari, or other writs not specifically mentioned, \$5.

(5) Issuing a transcript of judgment, or for filing and docketing a transcript of judgment from another court, \$5.

(6) Filing and entering a satisfaction of judgment, partial satisfaction or assignment of judgment, \$5.

(7) Certificate as to existence or non-existence of judgments docketed, \$1 for each name certified to and \$1 for each judgment certified to.

(8) Filing and indexing trade name; or recording notary commission; or recording basic science certificate; or recording certificate of physicians, osteopaths, chiropractors, veterinarians or optometrists, \$5.

(9) For the filing of each partial, final, or annual account in all trusteeships, \$10.

(10) All other services required by law for which no fee is provided such fee as compares favorably with those herein provided, or such as may be fixed by rule or order of the court.

Sec. 49. Minnesota Statutes 1980, Section 357.021, is amended by adding a subdivision to read:

Subd. 2a. Of the marriage dissolution fee collected pursuant to subdivision 1, the clerk shall pay \$15 to the state treasurer to be deposited in the general

fund for the purposes of funding grant programs for emergency shelter services and support services to battered women under sections 241.61 to 241.66 and for administering displaced homemaker programs established under section 4.40. The state treasurer shall identify and report to the commissioner of finance all amounts deposited in the general fund under this section."

Pages 41 to 42, delete section 51

Page 42, delete section 52

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 24, after the final semicolon, insert "357.021, Subdivision 2, and by adding a subdivision;"

Page 1, line 25, delete "517.08,"

Page 1, line 26, delete "Subdivision 1b, and by adding a subdivision;"

Mr. Moe, R. D. requested division of the amendment as follows:

First portion:

Page 38, after line 36, insert:

"Sec. 48. Minnesota Statutes 1980, Section 357.021, Section 2, is amended to read:

Subd. 2. The fees to be charged and collected by the clerk of district court shall be as follows:

(1) In every civil action or proceeding in said court, the plaintiff, petitioner, or other moving party shall pay, when the first paper on his part is filed in said action, a fee of \$20, *except that in an action for marriage dissolution, a fee of \$40.*

The defendant or other adverse or intervening party, or any one or more of several defendants or other adverse or intervening parties appearing separately from the others, shall pay, when the first paper on his or their part is filed in said action, a fee of \$15.

The party requesting a trial by jury shall pay \$15.

The fees above stated shall be the full trial fee chargeable to said parties irrespective of whether trial be to the court alone, to the court and jury, or disposed of without trial, and shall include the entry of judgment in the action, but does not include copies or certified copies of any papers so filed or proceedings under chapter 106, except the provisions therein as to appeals.

(2) Certified copy of any instrument from a civil or criminal proceeding \$5 and \$3.50 for an uncertified copy.

(3) Issuing a subpoena \$1 for each name.

(4) Issuing an execution and filing the return thereof; issuing a writ of attachment, injunction, habeas corpus, mandamus, quo warranto, certiorari, or other writs not specifically mentioned, \$5.

(5) Issuing a transcript of judgment; or for filing and docketing a transcript of judgment from another court, \$5.

(6) Filing and entering a satisfaction of judgment, partial satisfaction or assignment of judgment, \$5.

(7) Certificate as to existence or non-existence of judgments docketed, \$1 for each name certified to and \$1 for each judgment certified to.

(8) Filing and indexing trade name; or recording notary commission; or recording basic science certificate; or recording certificate of physicians, osteopaths, chiropractors, veterinarians or optometrists, \$5.

(9) For the filing of each partial, final, or annual account in all trusteeships, \$10.

(10) All other services required by law for which no fee is provided such fee as compares favorably with those herein provided, or such as may be fixed by rule or order of the court.

Sec. 49. Minnesota Statutes 1980, Section 357.021, is amended by adding a subdivision to read:

Subd. 2a. Of the marriage dissolution fee collected pursuant to subdivision 1, the clerk shall pay \$15 to the state treasurer to be deposited in the general fund for the purposes of funding grant programs for emergency shelter services and support services to battered women under sections 241.61 to 241.66 and for administering displaced homemaker programs established under section 4.40. The state treasurer shall identify and report to the commissioner of finance all amounts deposited in the general fund under this section."

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 24, after the final semicolon, insert "357.021, Subdivision 2, and by adding a subdivision;"

Second portion:

Pages 41 to 42, delete section 51

Page 42, delete section 52

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 25, delete "517.08,"

Page 1, line 26, delete "Subdivision 1b, and by adding a subdivision;"

The question was taken on the first portion of the Rued amendment. The motion prevailed. So the first portion of the amendment was adopted.

Mr. Rued withdrew the second portion of the amendment.

Mr. Benson moved to amend H.F. No. 1446, as amended by the Senate May 1, 1981, as follows:

(The text of the amended House File is identical to S.F. No. 1391.)

Page 6, line 12, delete "\$54,835,200" and insert "\$39,835,200" and delete "\$56,004,900" and insert "\$41,004,900"

Page 16, after line 15, insert:

"Sec. 10. GENERAL ASSISTANCE MEDICAL CARE

CONTINGENCY FUND 5,000,000 5,000,000

This appropriation shall be used if the appropriation for general assistance medical care is not sufficient to make the payments for services for which individuals are eligible under the general assistance medical care program."

Page 55, line 32, delete "emergency" in both places

Page 55, lines 33 and 34, delete "emergency"

Page 55, line 35, delete "emergency" and insert "life-threatening"

Page 62, line 20, delete "emergency" in both places

Page 62, line 21, delete "emergency"

Page 62, line 22, delete "emergency" and insert "life-threatening"

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 19 and nays 40, as follows:

Those who voted in the affirmative were:

Ashbach	Berg	Frederick	Peterson, D.L.	Rued
Bang	Bernhagen	Frederickson	Pillsbury	Sieloff
Belanger	Brataas	Knutson	Ramstad	Taylor
Benson	Engler	Lindgren	Renneke	

Those who voted in the negative were:

Berglin	Hanson	Menning	Peterson, R.W.	Stern
Chmielewski	Johnson	Merriam	Petty	Stokowski
Dahl	Knoll	Moe, D. M.	Purfeerst	Stumpf
Davies	Kroening	Nelson	Schmitz	Tennessen
Davis	Langseth	Olhoft	Setzepfandt	Vega
Dicklich	Lantry	Pehler	Sikorski	Waldorf
Dieterich	Lessard	Penny	Solon	Wegener
Frank	Luther	Peterson, C.C.	Spear	Willet

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

Mrs. Brataas moved to amend H.F. No. 1446, as amended by the Senate May 1, 1981, as follows:

(The text of the amended House File is identical to S.F. No. 1391.)

Page 7, line 37, delete "5485" and insert "5677"

Page 7, line 39, delete "\$13,902,800" and insert "\$14,002,800" and delete "14,641,900" and insert "\$15,141,900"

Page 7, line 41, delete "\$107,015,500" and insert "\$110,015,500" and delete "\$104,875,100" and insert "\$110,375,100"

Page 7, delete lines 46 to 55

Page 8, delete lines 1 to 16

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 20 and nays 41, as follows:

Those who voted in the affirmative were:

Ashbach	Bernhagen	Frederickson	Peterson, D.L.	Rued
Bang	Brataas	Knutson	Pillsbury	Sieloff
Belanger	Engler	Kronebusch	Ramstad	Taylor
Benson	Frederick	Lindgren	Renneke	Ulland

Those who voted in the negative were:

Berglin	Hanson	Merriam	Petty	Tennessen
Bertram	Johnson	Moe, D. M.	Schmitz	Vega
Chmielewski	Knoll	Moe, R. D.	Setzepfandt	Waldorf
Dahl	Kroening	Nelson	Sikorski	Wegener
Davies	Langseth	Olhoft	Solon	Willet
Davis	Lantry	Pehler	Spear	
Dicklich	Lessard	Penny	Stern	
Dieterich	Luther	Peterson, C.C.	Stokowski	
Frank	Menning	Peterson, R.W.	Stumpf	

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

H.F. No. 1446 was read the third time, as amended, and placed on its final passage.

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

The roll was called, and there were yeas 49 and nays 13, as follows:

Those who voted in the affirmative were:

Ashbach	Frank	Luther	Peterson, R.W.	Stern
Belanger	Frederickson	Menning	Petty	Stokowski
Berglin	Hanson	Merriam	Purfeerst	Stumpf
Bertram	Johnson	Moe, D. M.	Ramstad	Tennessen
Chmielewski	Knoll	Moe, R. D.	Renneke	Ulland
Dahl	Knutson	Nelson	Schmitz	Vega
Davies	Kroening	Olhoft	Setzepfandt	Waldorf
Davis	Langseth	Pehler	Sikorski	Wegener
Dicklich	Lantry	Penny	Solon	Willet
Dieterich	Lessard	Peterson, C.C.	Spear	

Those who voted in the negative were:

Bang	Brataas	Kronebusch	Pillsbury	Taylor
Benson	Engler	Lindgren	Rued	
Bernhagen	Frederick	Peterson, D.L.	Sieloff	

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

MOTIONS AND RESOLUTIONS - CONTINUED

Mr. Willet moved that S. F. No. 1392 be laid on the table. The motion prevailed.

Mr. Willet moved that S. F. No. 1391 be laid on the table. The motion prevailed.

Mr. Dicklich moved that S. F. No. 1346 and H. F. No. 1132 be withdrawn from the Committee on Judiciary and re-referred to the Committee on Taxes and Tax Laws. The motion prevailed.

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

REPORTS OF COMMITTEES

Mr. Moe, R.D. moved that the Committee Reports at the Desk be now

adopted. The motion prevailed.

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

S. F. No. 150: A bill for an act relating to education; providing for aids to education, aids to libraries, tax levies and the distribution of tax revenues; granting certain duties and powers to school boards, school districts, the state board of education, and the state board for vocational education; requiring a property accounting system for AVTI's; providing for an arts in education program; providing for a low-power T.V. education project; modifying criteria for participation in teacher mobility and early retirement programs; providing for the transfer of proceedings from the sale or exchange of buildings to the capital expenditure fund under certain circumstances; appropriating money; amending Minnesota Statutes 1980, Sections 3.9279, Subdivisions 10 and 12; 116H.126, Subdivisions 2, 4 and 5; 120.0751, Subdivision 5; 120.17, Subdivisions 1a, 3b, 4, 5a, 6, 7 and by adding a subdivision; 120.78; 121.90; 121.902, by adding a subdivision; 121.904, by adding a subdivision; 121.906, Subdivisions 2 and 3; 121.912, Subdivision 1; 121.917, Subdivision 4; 121.931, Subdivision 6; 121.934, Subdivision 7; 121.935, Subdivisions 2 and 6; 121.936, Subdivisions 2, 3 and by adding a subdivision; 121.937, Subdivision 1; 121.938, Subdivision 2; 123.35, Subdivision 15; 123.36, Subdivision 13; 123.39, Subdivision 1 and by adding a subdivision; 123.705; 124.01, Subdivisions 2, 3, 4 and by adding a subdivision; 124.11, Subdivisions 1, 2a, 2b and by adding a subdivision; 124.14, Subdivision 2; 124.17, by adding a subdivision; 124.20; 124.212, Subdivisions 1, 7d, 8a, 9a and by adding subdivisions; 124.223; 124.225, Subdivisions 1, 1a, 2, 3, 4a, 5, 6, 7a, 8a, 8b, 9, 11 and by adding a subdivision; 124.247, Subdivision 3; 124.26, Subdivisions 1, 4 and by adding a subdivision; 124.271, Subdivisions 2, 4, 5 and by adding subdivisions; 124.32, Subdivisions 1, 6, 9 and by adding a subdivision; 124.39, Subdivision 5; 124.40, Subdivision 2; 124.41; 124.42, Subdivisions 1 and 2; 124.43, Subdivisions 1, 2, 3, 4 and 5; 124.474; 124.476; 124.561, Subdivisions 2a, 3a and by adding subdivisions; 124.5621, Subdivisions 5, 6 and 12; 124.5622, Subdivisions 3, 4 and 5; 124.5623, Subdivisions 4 and 5; 124.5624, Subdivisions 3, 4 and 6; 124.565, Subdivisions 3, 4, 6 and 7; 124.572, Subdivisions 3, 8 and by adding subdivisions; 124.573, Subdivisions 2, 3, 3a, 5 and by adding subdivisions; 124.574, Subdivisions 2, 4 and 8; 124.646, Subdivision 1; 125.60, Subdivisions 2a and 7; 125.611, Subdivisions 1, 3, 8 and 9; 126.262; Subdivision 8; 126.54, Subdivision 1; 134.35, Subdivision 1; 134.351, Subdivision 5 and by adding subdivisions; 134.36; 273.138, Subdivisions 1 and 6; 275.125, Subdivisions 2a, 6b, 6c, 7a, 8, 9, 11a and by adding subdivisions; 298.28, Subdivision 1; 354.094, Subdivision 1; 354A.091, Subdivision 1; 375.335, Subdivision 4 and by adding subdivisions; and Laws 1973, Chapter 683, Section 26, Subdivisions 13 and 17, as amended; proposing new law coded in Minnesota Statutes, Chapters 3; 121; 124; and 275; repealing Minnesota Statutes 1980, Sections 3.9279, Subdivision 13; 116H.126, Subdivisions 1 and 7; 120.06, Subdivision 2; 120.17, Subdivision 3c; 121.13; 121.49, Subdivision 2; 121.495, Subdivision 6; 123.40, Subdivision 5; 123.703, Subdivision 3; 123.937; 124.225, Subdivisions 4, 7 and 8; 124.247, Subdivision 5; 124.26, Subdivision 3; 124.271, Subdivision 1a; 124.561, Subdivision 4; 124.562, Subdivisions 3 and 4; 124.566; 124.571; 126.263; 273.138, Subdivision 3; 275.125, Subdivision 7b; and Laws 1980, Chapter 609, Article IV, Sections

19, 20 and 21.

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

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

H. F. No. 70: A bill for an act relating to education; providing for aids to education, aids to libraries, tax levies and the distribution of tax revenues; granting certain powers and duties to school districts, the state board of education and others; replacing AVTI capital expenditure aid with AVTI equipment aid and AVTI repair and betterment aid; requiring a legislative study of curriculum implications of secondary vocational education aid; providing a new aid and levy authorization for certain capital expenditures; changing the preschool screening program from mandatory to optional; limiting participation in teacher mobility programs; decreasing the state's obligations and changing eligibility standards for the maximum effort school aid program; appropriating money; amending Minnesota Statutes 1980, Sections 3.9278, Subdivision 1; 3.9279, Subdivisions 10 and 12; 120.17, Subdivisions 3, 3b, 4, 5a, 6, 7 and by adding a subdivision; 121.904, Subdivision 7; 121.906, Subdivisions 2 and 3; 121.912, Subdivision 1; 122.22, Subdivisions 3, 4, 5, 8, 9, 11, 13, 14, 20 and by adding a subdivision; 123.35, Subdivision 15; 123.36, Subdivision 13; 123.39, Subdivision 1 and by adding a subdivision; 123.702, Subdivision 1; 123.703, Subdivision 3; 123.705; 123.937; 124.01, Subdivisions 2, 3, 4 and by adding a subdivision; 124.11, Subdivisions 1, 2a, 2b, 2c and by adding a subdivision; 124.14, Subdivisions 3, 4 and by adding a subdivision; 124.17, Subdivisions 2, 2c and by adding a subdivision; 124.20; 124.212, Subdivisions 1, 5a, 7d, 8a, 9a and by adding a subdivision; 124.223; 124.225, Subdivisions 1, 1a, 2, 3, 4a, 5, 6, 7a, 8a, 8b, 9, 11 and by adding a subdivision; 124.245, Subdivisions 1, 2 and by adding a subdivision; 124.247, Subdivisions 3 and 5; 124.26, Subdivisions 3, 4 and by adding subdivisions; 124.271, Subdivision 2; 124.32, Subdivisions 1a, 1b, 6, 9 and by adding a subdivision; 124.38, Subdivision 7; 124.39, Subdivision 5; 124.40, Subdivision 2; 124.41; 124.42, Subdivisions 1 and 2; 124.43, Subdivisions 1, 2, 3, 4 and 5; 124.474; 124.476; 124.561, Subdivisions 2a, 3a and by adding subdivisions; 124.562, by adding a subdivision; 124.5621, Subdivisions 2, 5, 6 and 12; 124.5622, Subdivisions 3, 4 and 5; 124.5623, Subdivisions 3, 4 and 5; 124.5624; 124.565, Subdivisions 3, 4, 6 and 7; 124.566; 124.572, Subdivision 8 and by adding subdivisions; 124.573, Subdivisions 2, 3a, 5 and by adding a subdivision; 124.574, Subdivisions 2 and 4; 124.646, Subdivision 1; 125.60, Subdivisions 2a and 7; 125.611, Subdivisions 1, 3, 5, 8, 9 and 10; 126.54, Subdivision 1; 134.35, Subdivision 1; 134.351, Subdivision 5 and by adding subdivisions; 134.36; 275.125, Subdivisions 2a, 2c, 6b, 6c, 7a, 7b, 8, 11a and by adding subdivisions; 298.28, Subdivision 1; 354.094, Subdivisions 1, 2, 3 and by adding a subdivision; 354.66, Subdivision 9; 354A.091, Subdivisions 1, 2, 3 and by adding a subdivision; 354A.094, Subdivision 9; 375.335, Subdivision 4 and by adding subdivisions; Laws 1967, Chapter 822, Section 1, as amended; proposing new law coded in Minnesota Statutes, Chapters 120; and 124; repealing Minnesota Statutes 1980, Sections 3.9279, Subdivision 13; 120.17, Subdivision 3c; 122.22, Subdivisions 10, 12, 15 and 16; 123.40, Subdivision 5; 124.212, Subdivisions 6c and 7c; 124.225, Subdivisions 4, 7 and 8; 124.271, Subdivision 1a; 124.561, Subdivision 4;

124.562, Subdivisions 3 and 4; 124.571; 126.268, Subdivision 1; 126.52, Subdivision 12; 275.125, Subdivisions 2b and 14.

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

Mr. Moe, R. D. from the Committee on Rules and Administration, to which was referred under Rule 35, together with the committee report thereon,

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 report from the Committee on Agriculture and Natural Resources, shown in the Journal for April 28, 1981, be amended to read:

"The bill be re-referred to the Committee on Finance." Report adopted.

Mr. Moe, R. D. from the Committee on Rules and Administration, to which was referred under Rule 35, together with the committee report thereon,

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 report from the Committee on Agriculture and Natural Resources, shown in the Journal for April 28, 1981, be adopted; that committee recommendation being

"The bill be amended and when so amended the bill do pass."

Amendments adopted. Report adopted.

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

S. F. No. 28: A bill for an act relating to claims against the state; providing for payment of various claims; appropriating money.

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

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

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

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

Page 1, after line 21, insert:

"Sec. 2. Minnesota Statutes 1980, Section 18.023, Subdivision 3a, is amended to read:

Subd. 3a. [GRANTS TO MUNICIPALITIES.] (a) The commissioner may, in the name of the state and within the limit of appropriations provided, make grants-in-aid to a municipality with an approved disease control program for the partial funding of municipal sanitation and reforestation programs. The commissioner may make grants-in-aid to any home rule charter or statutory city, or any special purpose park and recreation board organized under a charter of a city of the first class or any non-profit corporation serving a city of the first class or any county having an approved disease control program for the acquisition or implementation of a wood utilization or disposal system.

(b) The commissioner shall promulgate rules, including temporary rules, for the administration of grants authorized by this subdivision. The rules shall establish and contain as a minimum:

- (1) Procedures for grant applications;
- (2) Conditions and procedures for the administration of grants;
- (3) Criteria of eligibility for grants including, but not limited to, those specified in this subdivision; and
- (4) ~~Such~~ Other matters as the commissioner may find necessary to the proper administration of the grant program.

(c) Grants-in-aid payments for wood utilization and disposal systems made by the commissioner pursuant to this subdivision shall not exceed 50 percent of the total cost of the system. Grants for sanitation and reforestation shall be combined into one grant program. Grants to any municipality for sanitation shall not exceed 50 percent of sanitation costs approved by the commissioner including any amount of sanitation costs paid by special assessments, ad valorem taxes, federal grants or other funds. A municipality shall not specially assess a property owner any amount greater than the amount of the tree's sanitation cost minus the amount of the tree's sanitation cost reimbursed by the commissioner. Grants to municipalities for reforestation shall not exceed 50 percent of the cost, but not more than \$50 per tree, of trees planted pursuant to the reforestation program; provided that a reforestation grant to any county may include 90 percent of the cost, but not more than \$60 per tree, of the first 50 trees planted on public property in a town not described in subdivision 1 and of less than 1,000 population upon the town's application to the county. Reforestation grants to towns and home rule charter or statutory cities as described in subdivision 1 of less than 4,000 population with an approved disease control program may include 90 percent of the cost, but not more than \$60 per tree, of the first 50 trees planted on public property with the approval of the 1979 application. The governing body of any municipality which receives a reforestation grant pursuant to this section shall appoint up to seven residents of the municipality or designate an existing municipal board or committee to serve as a reforestation advisory committee to advise the governing body of the municipality in the administration of the reforestation program. For the purpose of this subdivision, "cost" shall not include the value of a gift or dedication of trees required by a municipal ordinance but shall include documented "in kind" services or voluntary work for municipalities with a population of less than 1,000 according to the ~~1970~~ most recent federal census.

(d) Based upon estimates submitted by the municipality to the commissioner, which shall state the estimated costs of sanitation and reforestation in the succeeding quarter under an approved program, the commissioner shall direct quarterly advance payments to be made by the state to the municipality commencing April 1, 1979. The commissioner shall direct adjustment of any overestimate in a succeeding quarter. A municipality may elect to receive the proceeds of its sanitation and reforestation grants on a periodic cost reimbursement basis.

(e) A home rule charter or statutory city, or county outside the metropolitan area or any municipality, as defined in subdivision 1, may submit an application for a grant authorized by this subdivision concurrently with its request for approval of a disease control program."

Page 1, line 29, delete "*Minnesota Statutes*" and insert "*section 31.05*"

Page 2, line 18, delete "*family farm*"

Page 2, line 21, delete "*persons*" and insert "*person*"

Page 2, line 22, delete the new language

Page 2, line 23, after "*rates*" insert "*, or by a contract for deed*"

Page 2, after line 31, insert:

"Sec. 7. Minnesota Statutes 1980, Section 41.52, is amended by adding a subdivision to read:

Subd. 11. "Cooperating agency" means any individual, financial institution, state or federal agency, or any other legal entity which executes a memorandum of understanding with the family farm security program.

Sec. 8. Minnesota Statutes 1980, Section 41.52, is amended by adding a subdivision to read:

Subd. 12. "Memorandum of understanding" means an agreement outlining conditions under which a cooperating agency will provide farm real estate loan funds not to be included under a family farm loan guarantee to applicants."

Page 4, after line 10, insert:

"Sec. 12. Minnesota Statutes 1980, Section 41.56, Subdivision 3, is amended to read:

Subd. 3. [DEFAULT, FILING CLAIM.] Within 90 days of a default on a guaranteed family farm security loan, the lender shall send notice to the applicant stating that the commissioner must be notified if the default continues for 180 days, and the consequences of that default. The lender and the applicant may agree to take any steps reasonable to assure the fulfillment of the loan obligation.

After 180 days from the initial default, if the applicant has not made arrangements to meet his obligation, the lender shall file a claim with the commissioner, identifying the loan and the nature of the default, and assigning to the state all of the lender's security and interest in the loan in exchange for payment according to the terms of the family farm security loan guarantee. In the case of a seller-sponsored loan, the seller may elect to pay the commissioner

all sums owed the commissioner by the applicant and retain title to the property in lieu of payment by the commissioner under the terms of the loan guarantee. If the commissioner determines that the terms of the family farm security loan guarantee have been met, he shall authorize payment of state funds to the lender, and shall notify the defaulting party. The state of Minnesota shall then ~~become the holder of the mortgage and succeed to the interest of the mortgagee or the vendor of the contract for deed.~~ Taxes shall be levied and paid on the land as though the owner were a natural person and not a political subdivision of the state. The commissioner may, on behalf of the state, commence foreclosure or termination proceedings in the manner provided by law."

Page 5, line 17, after the period, insert "*Proceeds in excess of these amounts shall be paid to cooperating agencies according to the terms of the family farm security memorandum of understanding.*"

Page 7, line 3, strike "the" and insert "warehouse"

Page 7, line 3, strike "of his" and delete "or her" and strike "warehouse"

Pages 8 and 9, delete section 13 and insert:

"Sec. 17. Minnesota Statutes 1980, Section 234.27, is amended to read:

234.27 [UNIFORM COMMERCIAL CODE TO APPLY.]

All the provisions of article 7 of the uniform commercial code, relative to the negotiation, transfer, sale, or endorsement of warehouse receipts, shall, so far as possible, apply to the negotiation, transfer, sale, or endorsement of the certificates provided for herein.

For the purpose of application of the uniform commercial code:

(a) *A certificate authorized by the department which evidences the storing of grain under the provisions of chapter 234 is a document of title as defined in section 336.1-201, clause (15); and*

(b) *A person who has title to and possession of any grain stored under the provisions of chapter 234 is a warehouseman as defined in section 336.7-102, clause (1)(h)."*

Page 9, after line 29, insert:

"Sec. 19. Minnesota Statutes 1980, Section 275.50, Subdivision 6, is amended to read:

Subd. 6. The cost to a governmental unit of implementing section 18.023, including sanitation and reforestation, as defined in section 18.023, subdivision 1, is a "special levy" and is not subject to tax levy limitations including those contained in sections 275.50 to 275.56 and in Laws 1969, Chapter 593, as amended by Laws 1974, Chapter 108, commencing with the levy made in 1976, payable in 1977, and terminating with the levy made in 1980 1982, payable in 1984 1983.

Sec. 20. Minnesota Statutes 1980, Section 290.01, Subdivision 20, is amended to read:

Subd. 20. [GROSS INCOME.] Except as otherwise provided in this chapter, the term "gross income," as applied to corporations includes every kind of compensation for labor or personal services of every kind from any

private or public employment, office, position or services; income derived from the ownership or use of property; gains or profits derived from every kind of disposition of, or every kind of dealing in, property; income derived from the transaction of any trade or business; and income derived from any source; except that gross income shall not include "exempt function income" of a "homeowners association" as those terms are defined in Section 528 of the Internal Revenue Code of 1954, as amended through December 31, 1979.

The term "gross income" in its application to individuals, estates, and trusts shall mean the adjusted gross income as computed for federal income tax purposes as defined in the Internal Revenue Code of 1954, as amended through the date specified herein for the applicable taxable year, with the modifications specified in this section.

(i) The Internal Revenue Code of 1954, as amended through December 31, 1974, shall be in effect for the taxable years beginning after December 31, 1974.

(ii) The Internal Revenue Code of 1954, as amended through December 31, 1976, including the amendments made to section 280A (relating to licensed day care centers) in H.R. 3477 as it passed the Congress on May 16, 1977, shall be in effect for the taxable years beginning after December 31, 1976. The provisions of the Tax Reform Act of 1976, P.L. 94-455, which affect adjusted gross income shall become effective for purposes of this chapter at the same time they become effective for federal income tax purposes. Section 207 (relating to extension of period for nonrecognition of gain on sale or exchange of residence) and section 402 (relating to time for making contributions to pension plans of self employed people) of P.L. 94-12 shall be effective for taxable years beginning after December 31, 1974.

The provisions of section 4 of P.L. 95-458, and sections 131, 133, 134, 141, 152, 156, 157, and 405 of P.L. 95-600 (relating to pensions, individual retirement accounts, deferred compensation plans, and to the sale of a residence) shall be effective at the same time that these provisions became effective for federal income tax purposes.

(iii) The Internal Revenue Code of 1954, as amended through December 31, 1979, shall be in effect for taxable years beginning after December 31, 1979.

For taxable years beginning after December 31, 1980 and before January 1, 1983, the provisions of section 404 (relating to partial exclusions of dividends and interest received by individuals) of the Crude Oil Windfall Profit Tax Act of 1980, P.L. 96-223, shall apply.

References to the Internal Revenue Code of 1954 in clauses (a), (b) and (c) following shall mean the code in effect for the purpose of defining gross income for the applicable taxable year.

(a) Modifications increasing federal adjusted gross income. There shall be added to federal adjusted gross income:

(1) Interest income on obligations of any state other than Minnesota or a political subdivision of any other state exempt from federal income taxes under the Internal Revenue Code of 1954;

(2) Interest income on obligations of any authority, commission, or instrumentality of the United States, which the laws of the United States exempt

from federal income tax, but not from state income taxes;

(3) Income taxes imposed by this state or any other taxing jurisdiction, to the extent deductible in determining federal adjusted gross income and not credited against federal income tax;

(4) Interest on indebtedness incurred or continued to purchase or carry securities the income from which is exempt from tax under this chapter, to the extent deductible in determining federal adjusted gross income;

(5) Amounts received as reimbursement for an expense of sickness or injury which was deducted in a prior taxable year to the extent that the deduction for the reimbursed expenditure resulted in a tax benefit;

(6) The amount of any federal income tax overpayment for any previous taxable year, received as refund or credited to another taxable year's income tax liability, proportionate to the percentage of federal income tax that was claimed as a deduction in determining Minnesota income tax for the previous taxable year.

The overpayment refund or credit, determined with respect to a husband and wife on a joint federal income tax return for a previous taxable year, shall be reported on joint or separate Minnesota income tax returns. In the case of separate Minnesota returns, the overpayment shall be reported by each spouse proportionately according to the relative amounts of federal income tax claimed as a deduction on his or her separate Minnesota income tax return for such previous taxable year;

(7) In the case of a change of residence from Minnesota to another state or nation, the amount of moving expenses which exceed total reimbursements and which were therefore deducted in arriving at federal adjusted gross income;

(8) In the case of property disposed of on or after January 1, 1973, the amount of any increase in the taxpayer's federal tax liability under section 47 of the Internal Revenue Code of 1954 to the extent of the credit under section 38 of the Internal Revenue Code of 1954 that was previously allowed as a deduction either under section 290.01, subdivision 20 (b) (7) or under section 290.09, subdivision 24;

(9) Expenses and losses arising from a farm which are not allowable under section 290.09, subdivision 29;

(10) Expenses and depreciation attributable to substandard buildings disallowed by section 290.101;

(11) The amount by which the gain determined pursuant to section 41.59, subdivision 2 exceeds the amount of such gain included in federal adjusted gross income;

(12) To the extent deducted in computing the taxpayer's federal adjusted gross income for the taxable year, losses recognized upon a transfer of property to the spouse or former spouse of the taxpayer in exchange for the release of the spouse's marital rights;

(13) Interest income from qualified scholarship funding bonds as defined in section 103(e) of the Internal Revenue Code of 1954, if the nonprofit corporation is domiciled outside of Minnesota;

(14) Exempt-interest dividends, as defined in section 852(b)(5)(A) of the

Internal Revenue Code of 1954, not included in federal adjusted gross income pursuant to section 852(b)(5)(B) of the Internal Revenue Code of 1954, except for that portion of exempt-interest dividends derived from interest income on obligations of the state of Minnesota, any of its political or governmental subdivisions, any of its municipalities, or any of its governmental agencies or instrumentalities;

(15) The amount of any excluded gain recognized by a trust on the sale or exchange of property as defined in section 641(c)(1) of the Internal Revenue Code of 1954;

(16) An amount equal to one-sixth of any gain from the sale or other disposition of property deducted under sections 1202(a) and 1202(c)(1) of the Internal Revenue Code of 1954;

(17) To the extent not included in the taxpayer's federal adjusted gross income, the amount of any gain, from the sale or other disposition of property having a lower adjusted basis for Minnesota income tax purposes than for federal income tax purposes. This modification shall not exceed the difference in basis. If the gain is considered a long term capital gain for federal income tax purposes, the modification shall be limited to 50 percent of the portion of the gain. This modification is limited to property that qualified for the energy credit contained in section 290.06, subdivision 14, and to property acquired in exchange for the release of the taxpayer's marital rights contained in section 290.14, clause (9);

(18) The amount of any loss from a source outside of Minnesota which is not allowed under section 290.17 including any capital loss or net operating loss carryforwards or carrybacks resulting from the loss; and

(19) The amount of a distribution from an individual housing account which is to be included in gross income as required under clause (c) of section 290.09, subdivision 30.

(b) Modifications reducing federal adjusted gross income. There shall be subtracted from federal adjusted gross income:

(1) Interest income on obligations of any authority, commission or instrumentality of the United States to the extent includible in gross income for federal income tax purposes but exempt from state income tax under the laws of the United States;

(2) The portion of any gain, from the sale or other disposition of property having a higher adjusted basis for Minnesota income tax purposes than for federal income tax purposes, that does not exceed such difference in basis; but if such gain is considered a long-term capital gain for federal income tax purposes, the modification shall be limited to 50 per centum of the portion of the gain. This modification shall not be applicable if the difference in basis is due to disallowance of depreciation pursuant to section 290.101.

(3) Interest or dividend income on securities to the extent exempt from income tax under the laws of this state authorizing the issuance of the securities but includible in gross income for federal income tax purposes;

(4) Losses, not otherwise reducing federal adjusted gross income assignable to Minnesota, arising from events or transactions which are assignable to Minnesota under the provisions of sections 290.17 to 290.20, including any

capital loss or net operating loss carryforwards or carrybacks resulting from the losses;

(5) If included in federal adjusted gross income, the amount of any credit received, whether received as a refund or credit to another taxable year's income tax liability, pursuant to chapter 290A, and the amount of any overpayment of income tax to Minnesota, or any other state, for any previous taxable year, whether the amount is received as a refund or credited to another taxable year's income tax liability;

(6) To the extent included in federal adjusted gross income, or the amount reflected as the ordinary income portion of a lump sum distribution under section 402(e) of the Internal Revenue Code of 1954, notwithstanding any other law to the contrary, the amount received by any person (i) from the United States, its agencies or instrumentalities, the Federal Reserve Bank or from the state of Minnesota or any of its political or governmental subdivisions or from any other state or its political or governmental subdivisions, or a Minnesota volunteer firefighter's relief association, by way of payment as a pension, public employee retirement benefit, or any combination thereof, or (ii) as a retirement or survivor's benefit made from a plan qualifying under section 401, 403, 404, 405, 408, 409 or 409A of the Internal Revenue Code of 1954. The maximum amount of this subtraction shall be \$11,000 less the amount by which the individual's federal adjusted gross income, plus the ordinary income portion of a lump sum distribution as defined in section 402(e) of the Internal Revenue Code of 1954, exceeds \$17,000. In the case of a volunteer firefighter who receives an involuntary lump sum distribution of his pension or retirement benefits, the maximum amount of this subtraction shall be \$11,000; this subtraction shall not be reduced by the amount of the individual's federal adjusted gross income in excess of \$17,000;

(7) In the case of property acquired on or after January 1, 1973, the amount of any credit to the taxpayer's federal tax liability under section 38 of the Internal Revenue Code of 1954 but only to the extent that the credit is connected with or allocable against the production or receipt of income included in the measure of the tax imposed by this chapter;

(8) To the extent included in the taxpayer's federal adjusted gross income for the taxable year, gain recognized upon a transfer of property to the spouse or former spouse of the taxpayer in exchange for the release of the spouse's marital rights;

(9) The amount of any distribution from a qualified pension or profit sharing plan included in federal adjusted gross income in the year of receipt to the extent of any contribution not previously allowed as a deduction by reason of a change in federal law which was not adopted by Minnesota law for a taxable year beginning in 1974 or later;

(10) Interest, including payment adjustment to the extent that it is applied to interest, earned by the seller of the property on a family farm security loan executed before January 1, 1982 1986 that is guaranteed by the commissioner of agriculture as provided in sections 41.51 to 41.60;

(11) The first \$3,000 of compensation for personal services in the armed forces of the United States or the United Nations, and the next \$2,000 of compensation for personal services in the armed forces of the United States or

the United Nations wholly performed outside the state of Minnesota. This modification does not apply to compensation defined in clause (b)(6);

(12) The amount of any income earned for personal services rendered outside of Minnesota prior to the date when the taxpayer became a resident of Minnesota. This modification does not apply to compensation defined in clause (b)(6);

(13) In the case of wages or salaries paid or incurred on or after January 1, 1977, the amount of any credit for employment of certain new employees under sections 44B and 51 to 53 of the Internal Revenue Code of 1954 which is claimed as a credit against the taxpayer's federal tax liability, but only to the extent that the credit is connected with or allocable against the production or receipt of income included in the measure of the tax imposed by this chapter;

(14) In the case of work incentive program expenses paid or incurred on or after January 1, 1979, the amount of any credit for expenses of work incentive programs under sections 40, 50A and 50B of the Internal Revenue Code of 1954 which is claimed as a credit against the taxpayer's federal tax liability, but only to the extent that the credit is connected with or allocable against the production or receipt of income included in the measure of the tax imposed by this chapter;

(15) Unemployment compensation to the extent includible in gross income for federal income tax purposes under section 85 of the Internal Revenue Code of 1954;

(16) To the extent included in federal adjusted gross income, severance pay that may be treated as a lump sum distribution under the provisions of section 290.032, subdivision 5;

(17) The amount of any income or gain which is not assignable to Minnesota under the provisions of section 290.17; and

(18) Minnesota exempt-interest dividends as provided by subdivision 27.

(c) Modifications affecting shareholders of electing small business corporations under section 1372 of the Internal Revenue Code of 1954, or section 290.972 of this chapter.

(1) Shareholders in a small business corporation, which has elected to be so taxed under the Internal Revenue Code of 1954, but has not made an election under section 290.972 of this chapter, shall deduct from federal adjusted gross income the amount of any imputed income from the corporation and shall add to federal adjusted gross income the amount of any loss claimed as a result of stock ownership. Also there shall be added to federal adjusted gross income the amount of any distributions in cash or property made by said corporation to its shareholders during the taxable year.

(2) In cases where the small business corporation has made an election under section 1372 of the Internal Revenue Code of 1954, but has not elected under section 290.972 of this chapter and the corporation is liquidated or the individual shareholder disposes of the stock and there is no capital loss reflected in federal adjusted gross income because of the fact that corporate losses have exhausted the shareholders basis for federal purposes, the shareholders shall be entitled, nevertheless, to a capital loss commensurate to their Minnesota basis for the stock.

(3) In cases where the election under section 1372 of the Internal Revenue Code of 1954 antedates the election under section 290.972 of this chapter and at the close of the taxable year immediately preceding the effective election under section 290.972 the corporation has a reserve of undistributed taxable income previously taxed to shareholders under the provisions of the Internal Revenue Code of 1954, in the event and to the extent that the reserve is distributed to shareholders the distribution shall be taxed as a dividend for purposes of this act.

Items of gross income includible within these definitions shall be deemed such regardless of the form in which received. Items of gross income shall be included in gross income of the taxable year in which received by a taxpayer unless properly to be accounted for as of a different taxable year under methods of accounting permitted by section 290.07, except that (1) amounts transferred from a reserve or other account, if in effect transfers to surplus, shall, to the extent that the amounts were accumulated through deductions from gross income or entered into the computation of taxable net income during any taxable year, be treated as gross income for the year in which the transfer occurs, but only to the extent that the amounts resulted in a reduction of the tax imposed by this act, and (2) amounts received as refunds on account of taxes deducted from gross income during any taxable year shall be treated as gross income for the year in which actually received, but only to the extent that such amounts resulted in a reduction of the tax imposed by this act.

(d) Modification in computing taxable income of the estate of a decedent. Amounts allowable under section 291.07, subdivision 1, clause (2) in computing Minnesota inheritance or estate tax liability shall not be allowed as a deduction in computing the taxable income of the estate unless there is filed within the time and in the manner and form prescribed by the commissioner a statement that the amounts have not been allowed as a deduction under section 291.07 and a waiver of the right to have the amounts allowed at any time as deductions under section 291.07. The provisions of this paragraph shall not apply with respect to deductions allowed under section 290.077 (relating to income in respect of decedents). In the event that the election made for federal tax purposes under section 642(g) of the Internal Revenue Code of 1954 differs from the election made under this paragraph appropriate modification of the estate's federal taxable income shall be made to implement the election made under this paragraph in accordance with regulations prescribed by the commissioner."

Page 10, line 4, delete "Section" and insert "Sections" and after "29.091," insert "and 234.02, are" and delete "is"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 7, after "pelts;" insert "updating references in the shade tree control law;"

Page 1, line 8, after "7;" insert "18.023, Subdivision 3a;"

Page 1, line 9, after "9" insert ", and by adding subdivisions"

Page 1, line 10, before "and" insert ", 3"

Page 1, line 11, delete "234.02" and insert "234.27"

Page 1, line 11, after "236.03;" insert "275.50, Subdivision 6; 290.01, Subdivision 20;"

Page 1, line 13, delete "Section" and insert "Sections" and before the period, insert "and 234.02"

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

SECOND READING OF SENATE BILLS

S. F. No. 28 was read the second time.

SECOND READING OF HOUSE BILLS

H. F. Nos. 353 and 409 were read the second time.

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

INTRODUCTION AND FIRST READING OF SENATE BILLS

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

Mr. Menning introduced—

S.F. No. 1395: A bill for an act relating to transportation; creating the Minnesota state highway improvement fund; appropriating money from the fund for improvements to the state trunk highway system; authorizing the issuance of state bonds for the fund pursuant to article XI of the constitution; appropriating money; proposing new law coded in Minnesota Statutes, Chapter 174.

Referred to the Committee on Transportation.

Messrs. Pehler, Merriam, Davis, Sikorski and Frank introduced—

S.F. No. 1396: A bill for an act relating to retirement; computation of benefits for correctional officers receiving social security payments; repealing Minnesota Statutes 1980, Section 352.93, Subdivision 3.

Referred to the Committee on Public Employees and Pensions.

Mr. Renneke introduced—

S.F. No. 1397: A bill for an act relating to probate; allowing claims based on certain medical assistance to be made against the homestead; amending Minnesota Statutes 1980, Sections 510.05; and 525.16.

Referred to the Committee on Health, Welfare and Corrections.

Messrs. Purfeerst, Lessard, Belanger, Frederick and Chmielewski introduced—

S.F. No. 1398: A bill for an act relating to motor vehicles; providing for special license plates for certain motor vehicles owned and operated by mem-

bers of certain fire departments; amending Minnesota Statutes 1980, Section 168.12, by adding a subdivision.

Referred to the Committee on Transportation.

Messrs. Langseth; Frederickson; Peterson, C.C. and Penny introduced—

S.F. No. 1399: A bill for an act relating to agriculture; regulating commerce in seed; establishing fees; providing penalties; appropriating money; amending Minnesota Statutes 1980, Sections 21.47; 21.48; 21.49; 21.50; 21.51; 21.52; 21.53; 21.54, Subdivision 3; 21.55; 21.58; and proposing new law coded in Minnesota Statutes, Chapter 21.

Referred to the Committee on Agriculture and Natural Resources.

Messrs. Sieloff and Lessard introduced—

S.F. No. 1400: A bill for an act relating to probate; changing certain records-keeping requirements; amending Minnesota Statutes 1980, Section 525.03.

Referred to the Committee on Judiciary.

Mr. Dahl introduced—

S.F. No. 1401: A bill for an act relating to the city of White Bear Lake; authorizing the city to have certain powers of a statutory city.

Referred to the Committee on Local Government and Urban Affairs.

Mr. Davies introduced—

S.F. No. 1402: A bill for an act relating to private detectives and protective agents; requiring private detectives, protective agents and their employees to present identification cards upon request; amending Minnesota Statutes 1980, Section 326.336, Subdivision 2.

Referred to the Committee on Judiciary.

MOTIONS AND RESOLUTIONS - CONTINUED

Mr. Moe, R.D. moved that the Senate do now adjourn until 10:00 a.m., Monday, May 4, 1981. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate