

FORTY-SEVENTH DAY

St. Paul, Minnesota, Tuesday, May 5, 1981

The Senate met at 1:00 p.m. and was called to order by the President.

Prayer was offered by the Chaplain, Rev. Myron Nysether.

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

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

The President declared a quorum present.

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

CALL OF THE SENATE

Mr. Hanson imposed a Call of the Senate. The Sergeant at Arms was instructed to bring in the absent members.

MEMBERS EXCUSED

Mr. Frederick was excused from the Session of today from 1:00 to 1:30 p.m.
Mr. Humphrey was excused from the Session of today from 1:00 to 3:00 p.m.
Mr. Solon was excused from the Session of today from 3:30 to 10:00 p.m.

EXECUTIVE AND OFFICIAL COMMUNICATIONS

May 1, 1981

The Honorable Harry A. Sieben, Jr.
Speaker of the House of Representatives
The Honorable Jack Davies
President of the Senate

I have the honor to inform you that the following enrolled 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
	30	61	April 30	May 1
	241	62	April 30	May 1
	401	63	April 30	May 1
	420	64	April 30	May 1
	518	65	April 30	May 1
196		66	April 30	May 1
219		67	April 30	May 1
305		68	April 30	May 1
330		69	April 30	May 1
333		70	April 30	May 1
339		71	April 30	May 1
462		72	April 30	May 1
463		73	April 30	May 1
611		74	April 30	May 1
849		75	April 30	May 1
1044		76	April 30	May 1

Sincerely,

Joan Anderson Growe
Secretary of State

May 4, 1981

The Honorable Jack Davies
President of the Senate

Dear Sir:

I have the honor of informing you that I have received, approved, signed and deposited in the Office of the Secretary of State, S. F. Nos. 200, 353, 372, 375, 760, 520, 249, 741 and 225.

Sincerely yours,

Albert H. Quie, Governor

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. 291, 1193, 1248, 1278, 443, 550, 556 and 823.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned May 4, 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. 72: A bill for an act relating to elections; providing a penalty for broadcasting certain false information; exempting certain broadcasters and

publishers; amending Minnesota Statutes 1980, Section 210A.04.

Senate File No. 72 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned May 4, 1981

Mr. Hanson moved that S. F. No. 72 be laid on the table. The motion prevailed.

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. 771: A bill for an act relating to Otter Tail county and the town of Oak Port in Clay county; authorizing the Otter Tail county board to grant certain powers for a district created under Minnesota Statutes, Chapter 116A; authorizing the town of Oak Port to exercise certain powers.

Senate File No. 771 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned May 4, 1981

CONCURRENCE AND REPASSAGE

Mr. Peterson, C.C. moved that the Senate concur in the amendments by the House to S. F. No. 771 and that the bill be placed on its repassage as amended. The motion prevailed.

S. F. No. 771: A bill for an act relating to Otter Tail county and the town of Oakport in Clay county; authorizing the Otter Tail county board to grant certain powers for a district created under Minnesota Statutes, Chapter 116A; authorizing the town of Oakport to exercise certain powers.

Was read the third time, as amended by the House, and placed on its repassage.

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

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

Those who voted in the affirmative were:

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

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

MESSAGES FROM THE HOUSE - CONTINUED

Mr. President:

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

S. F. No. 822: A bill for an act relating to occupations and professions; providing for oral examinations of electricians by the board of electricity; amending Minnesota Statutes 1980, Section 326.242, Subdivision 7.

Senate File No. 822 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned May 4, 1981

CONCURRENCE AND REPASSAGE

Mr. Schmitz moved that the Senate concur in the amendments by the House to S. F. No. 822 and that the bill be placed on its repassage as amended. The motion prevailed.

S. F. No. 822 was read the third time, as amended by the House, and placed on its repassage.

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

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

Those who voted in the affirmative were:

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

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

MESSAGES FROM THE HOUSE - CONTINUED

Mr. President:

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

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

Senate File No. 1343 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned May 4, 1981

CONCURRENCE AND REPASSAGE

Mr. Schmitz moved that the Senate concur in the amendments by the House to S. F. No. 1343 and that the bill be placed on its repassage as amended. The motion prevailed.

S. F. No. 1343: A bill for an act relating to elections; providing for automatic recounts in certain judicial elections; amending Laws 1981, Chapter 29, Article V, Section 35.

Was read the third time, as amended by the House, and placed on its repassage.

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

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

Those who voted in the affirmative were:

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

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

MESSAGES FROM THE HOUSE - CONTINUED

Mr. President:

I have the honor to announce that the House refuses to concur in the Senate amendments to House File No. 582:

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

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

Begich; Carlson, D. and Kahn have been appointed as such committee on the part of the House.

House File No. 582 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 May 4, 1981

Mr. Merriam moved that the Senate accede to the request of the House for a

Conference Committee on H. F. No. 582, 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. 1421.

H. F. No. 1421: A bill for an act relating to the organization and operation of state government; appropriating money for education and related purposes, including the department of education, higher education coordinating board, state universities, community colleges, and the university of Minnesota and its hospitals, with certain conditions; amending Minnesota Statutes 1980, Sections 15.38; 121.931, Subdivision 5; 123.742, by adding a subdivision; 123.743; and 136A.121, Subdivisions 4 and 5.

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

Carlson, L.; Swanson; Welch; Nelsen, B. and Erickson have been appointed as such committee on the part of the House.

House File No. 1421 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 May, 4, 1981

Mr. Willet moved that the Senate accede to the request of the House for a Conference Committee on H. F. No. 1421, and that a Conference Committee of 5 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. 1434.

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.

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

Anderson, G.; Osthoff; Metzen; Valan and Mehrkens have been appointed

as such committee on the part of the House.

House File No. 1434 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 May, 4, 1981

Mr. Willet moved that the Senate accede to the request of the House for a Conference Committee on H. F. No. 1434, and that a Conference Committee of 5 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. 1443.

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

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

Kahn; Sieben, M.; Battaglia; Johnson, D. and Laidig have been appointed as

such committee on the part of the House.

House File No. 1443 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 May, 4, 1981

Mr. Willet moved that the Senate accede to the request of the House for a Conference Committee on H. F. No. 1443 and that a Conference Committee of 5 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. 1446.

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.

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

Samuelson; Hokanson; Rice; Anderson, R. and Forsythe have been appointed as such committee on the part of the House.

House File No. 1446 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 May, 4, 1981

Mr. Willet moved that the Senate accede to the request of the House for a Conference Committee on H. F. No. 1446, and that a Conference Committee of 5 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. 1021, 1190, 1200, 1301 and 1160.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted May 4, 1981

FIRST READING OF HOUSE BILLS

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

H. F. No. 1021: A bill for an act relating to elections; changing certain requirements for voting by absent and disabled voters; amending Laws 1981, Chapter 29, Article III, Section 2.

Referred to the Committee on Elections and Reapportionment.

H. F. No. 1190: A bill for an act relating to counties; providing that the compensation of members of the St. Louis county board of commissioners be set pursuant to general law; amending Minnesota Statutes 1980, Section 375.055, Subdivision 1; repealing Laws 1965, Chapter 843.

Referred to the Committee on Rules and Administration for comparison with S. F. No. 1322, now on General Orders.

H. F. No. 1200: A bill for an act relating to courts; extending application of the provision of law providing for payment of travel expenses for certain district court judges; amending Laws 1980, Chapter 614, Section 162.

Referred to the Committee on Rules and Administration for comparison with S. F. No. 1226, now on General Orders.

H. F. No. 1301: A bill for an act relating to consumer protection; providing for a definition of building materials which may contain urea formaldehyde; providing for exceptions; amending Minnesota Statutes 1980, Section 325F.18, by adding a subdivision.

Referred to the Committee on Rules and Administration for comparison with S. F. No. 1253, now on General Orders.

H. F. No. 1160: A bill for an act relating to commerce; exempting certain real estate brokers and salespersons from the licensing requirements for mobile home manufacturers and dealers; setting a penalty; amending Minnesota Statutes 1980, Sections 82.34, Subdivision 7; and 327.55, by adding a subdivision.

Referred to the Committee on Rules and Administration for comparison with S. F. No. 1302, now on General Orders.

REPORTS OF COMMITTEES

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

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

S. F. No. 738: A bill for an act relating to metropolitan government; revising

the metropolitan agricultural preserves act; amending Minnesota Statutes 1980, Sections 473H.02, Subdivisions 2 and 3, and by adding a subdivision; 473H.04, Subdivisions 1 and 2; 473H.05, Subdivision 1, and by adding a subdivision; 473H.06, Subdivisions 1, 2 and 5; 473H.08, Subdivision 4; 473H.09; 473H.14; 473H.15, by adding a subdivision; and 473H.16, Subdivision 3; proposing new law coded in Minnesota Statutes, Chapter 473H.

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

S. F. No. 1237: A bill for an act relating to taxation; extending the special levy for shade tree disease control by two years; amending Minnesota Statutes 1980, Section 275.50, Subdivision 6.

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

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

S. F. No. 1018: A bill for an act relating to taxation; eliminating unnecessary language concerning a property tax exemption for cheese; amending Minnesota Statutes 1980, Sections 272.02, Subdivision 1; 273.115, Subdivisions 1, 2, and 3; and 273.116, Subdivisions 1 and 2.

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

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

S. F. No. 1152: A bill for an act relating to taxation; providing that an electing small business corporation for federal income tax purposes shall be an electing small business corporation for Minnesota income tax purposes; amending Minnesota Statutes 1980, Sections 290.01, Subdivision 20; 290.974; proposing new law coded in Minnesota Statutes, Chapter 290; repealing Minnesota Statutes 1980, Sections 290.971; 290.972; 290.973; and 290.975.

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

Page 9, line 1, after the stricken "Modifications" insert "*A modification*" and reinstate "affecting shareholders of electing small"

Page 9, reinstate line 2

Page 9, line 3, reinstate "Code of 1954" and after the stricken comma insert "*shall be made*" and reinstate the stricken period

Page 9, line 23, reinstate "In cases where the election under section 1372 of the"

Page 9, reinstate line 24

Page 9, line 25, reinstate "this chapter and at the close of the taxable"

Page 9, line 26, reinstate "year immediately preceding the effective election"

under" and insert "*this chapter*"

Page 9, line 27, reinstate "the corporation has a reserve of undistributed taxable"

Page 9, reinstate lines 28 to 36

Page 10, lines 1 to 15, reinstate the stricken language

Page 11, line 23, delete "290.973;"

Amend the title as follows:

Page 1, line 9, delete "290.973;"

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

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

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

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

Amend the title as follows:

Page 1, line 3, delete "veterans" and insert "persons"

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

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

S. F. No. 440: A bill for an act establishing the North Koochiching county waste water treatment board; prescribing its duties and powers; providing for the treatment and disposal of waste water in described areas.

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

Page 3, after line 19, insert:

"If any governmental unit withdraws from participation in the district pursuant to section 12, subdivision 4, the board members appointed by it shall not continue to serve on the board. If the governmental unit that withdraws is not the city of International Falls, the number of members representing International Falls shall be reduced by one; the membership of the most recently appointed representative of International Falls shall terminate 30 days after the date of withdrawal of the governmental unit. The number of members representing the city of International Falls shall not be reduced below three."

Page 22, line 5, before "The" insert "By an affirmative vote of more than two-thirds of its members,"

Page 22, line 20, after the period, insert "Prior to the issuance of the first general obligation bonds pursuant to this subdivision, the governing body of each governmental unit shall review the proposed bond issue. If any govern-

mental unit does not approve the bond issue by a majority vote of its governing body within 60 days from the date when a written proposal to issue the bonds has been transmitted to it by the board, that governmental unit shall be deemed to have withdrawn from the district. Upon withdrawal, a governmental unit shall be liable for payment of its share of the district's costs accrued prior to that time, and payment shall be made according to the provisions of section 9. After the first issuance of bonds pursuant to this subdivision, no governmental unit may withdraw from participation in the district."

Page 22, line 23, after "sale" insert "except that if the proposed borrowing is in an amount more than \$200,000 or if the sum of all outstanding certificates issued under subdivisions 1, 2 and 3 within the preceding six months exceeds \$200,000 a public sale is required"

Page 32, line 13, delete "Pursuant to"

Page 32, delete lines 14 and 15

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

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

S. F. No. 635: A bill for an act relating to taxation; imposing certain requirements and restrictions on the use of tax increment financing; amending Minnesota Statutes 1980, Sections 273.73, Subdivision 10; 273.74, Subdivisions 1, 2, 3, and 4, and by adding a subdivision; 273.75, Subdivisions 4 and 6, and by adding subdivisions; proposing new law coded in Minnesota Statutes, Chapter 273; repealing Minnesota Statutes 1980, Section 273.76, Subdivision 4.

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

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1980, Section 124.212, Subdivision 10, is amended to read:

Subd. 10. (a) The equalization aid review committee, consisting of the commissioner of education, the commissioner of administration, the commissioner of agriculture, and the commissioner of revenue, is hereby continued and permanently established. The duty of this committee shall be to review the assessed valuation of the districts of the state. When such reviews disclose reasonable evidence that the assessed valuation of any district furnished by any county auditor is not based upon the market value of taxable property in such district, then said committee shall call upon the department of revenue to ascertain the market value of such property, and adjust such values as required by law to determine the adjusted assessed valuation. The department of revenue shall take such steps as are necessary in the performance of that duty and may incur such expense as is necessary therefor. The commissioner of revenue is authorized to reimburse any county or governmental official for services performed at his request in ascertaining such adjusted valuation. On or before March 15, annually, the department of revenue shall submit its report on the assessed values established by the previous year's assessment to said committee for approval or rejection and, if approved, such report shall be filed not later

than the following July 1 with the commissioner of education and each county auditor for those school districts for which he has the responsibility for determination of mill rates. A copy of the adjusted assessed value so filed shall be forthwith mailed to the clerk of each district involved and to the county assessor or supervisor of assessments of the county or counties in which such district is located.

(b) For purposes of determining the adjusted assessed value of agricultural lands for the calculation of 1977 adjusted assessed values and thereafter, the market value of agricultural lands shall be the arithmetic average of (1) the price for which the property would sell in an arms length transaction, and (2) the income which could be derived from its free market gross rental rate capitalized at a rate of nine percent.

(c) *The committee shall include in the adjusted assessed value of each district the captured assessed value as defined in section 273.73, subdivision 4, of all parcels included in each economic development district as defined in section 273.73, subdivision 12, located within the district, plus the additional amount of value needed to produce, when added to the adjusted assessed value of the district, a school district levy providing tax proceeds to the school district equivalent to the tax proceeds that would have resulted from a levy on the total adjusted assessed value of the district, including the captured assessed value of the parcels in the economic development district, if no value were being captured by the economic development district located there.*

Sec. 2. Minnesota Statutes 1980, Section 273.73, Subdivision 10, is amended to read:

Subd. 10. [REDEVELOPMENT DISTRICT.] (a) "Redevelopment district" means a type of tax increment financing district consisting of a project, or portions of a project, within which the authority finds by resolution that one of the following conditions, reasonably distributed throughout the district, exists:

(1) 70 percent of the ~~land is predominantly~~ parcels in the district are occupied by buildings, streets, utilities or other improvements and more than 50 percent of the buildings, not including outbuildings, are structurally substandard to a degree requiring substantial renovation or clearance; or

(2) 70 percent of the ~~land is predominantly~~ parcels in the district are occupied by buildings, streets, utilities or other improvements and ~~20~~ 25 percent of the buildings are structurally substandard and an additional ~~30~~ 40 percent of the buildings are found to require substantial renovation or clearance in order to remove such existing conditions as: inadequate street layout, incompatible uses or land use relationships, overcrowding of buildings on the land, excessive dwelling unit density, obsolete buildings not suitable for improvement or conversion, or other identified hazards to the health, safety and general well being of the community; or

(3) *Less than 70 percent of the land is not predominantly parcels in the district are occupied by buildings, streets, utilities or other improvements, but due to unusual terrain or soil deficiencies requiring substantial filling, grading or other physical preparation for use at least 80 percent of the total acreage of such land has a fair market value upon inclusion in the redevelopment district which, when added to the estimated cost of preparing the that land for use,*

~~including utilities development, excluding costs directly related to roads as defined in section 160.01 and local improvements as described in section 429.021, subdivision 1, clauses 1 to 7, 11 and 12, and section 430.01, if any, exceeds its anticipated fair market value after completion of said preparation; provided that no parcel shall be included within a redevelopment district pursuant to this paragraph (3) unless the authority has concluded an agreement or agreements for the development of at least 50 percent of the acreage having the unusual soil or terrain deficiencies, which agreement provides recourse for the authority should the development not be completed; or~~

(4) The property consists of underutilized air rights existing over a public street, highway or right-of-way.

(b) For purposes of this subdivision, "structurally substandard" shall mean containing defects in structural elements or a combination of deficiencies in essential utilities and facilities, light and ventilation, fire protection including adequate egress, layout and condition of interior partitions, or similar factors, which defects or deficiencies are of sufficient total significance to justify substantial renovation or clearance. ~~"Predominantly occupied" shall mean at least 50 percent of the parcels comprising at least 50 percent of the acreage.~~ "Parcel" shall mean a tract or plat of land established prior to the certification of the district as a single unit for purposes of assessment.

Sec. 3. Minnesota Statutes 1980, Section 273.73, Subdivision 13, is amended to read:

Subd. 13. [ADMINISTRATIVE EXPENSES.] "Administrative expenses" means all expenditures of an authority other than amounts paid for the purchase of land or amounts paid to contractors or others providing materials and services, including architectural and engineering services, directly connected with the physical development of the real property in the district, relocation benefits paid to or services provided for persons residing or businesses located in the district, or amounts used to pay interest on, fund a reserve for, or sell at a discount bonds issued pursuant to section 273.77. "Administrative expenses" includes amounts paid for services provided by bond counsel, fiscal consultants, and planning or economic development consultants.

Sec. 4. Minnesota Statutes 1980, Section 273.74, Subdivision 1, is amended to read:

273.74 [ESTABLISHING, MODIFYING TAX INCREMENT FINANCING PLAN, ANNUAL ACCOUNTS.]

Subdivision 1. [TAX INCREMENT FINANCING PLAN.] A tax increment financing plan shall contain:

(a) A statement of objectives of an authority for the improvement of a district- ~~The plan shall contain;~~

(b) A statement as to the development program for the district, including the property within the district, if any, which the authority intends to acquire- ~~It shall also contain;~~

(c) A list of any development activities which the plan proposes to take place within the district, for which contracts have been entered into at the time of the preparation of the plan, including the names of the parties to the contract, the activity governed by the contract, the cost stated in the contract, and the

expected date of completion of that activity;

(d) Identification or description of the type of any other specific development reasonably expected to take place within the district, and the date when the development is likely to occur;

(e) Estimates of the following:

(1) Cost of the district, including administration expenses;

(2) Amount of bonded indebtedness to be incurred;

(3) Sources of revenue to finance or otherwise pay public costs;

(4) The most recent assessed value of taxable real property within the district;

(5) The estimated captured assessed value of the district at completion; and

(6) The duration of the district's existence. The plan shall also contain; and

(f) A statement of the authority's estimate of the impact of tax increment financing on the assessed values of all taxing jurisdictions in which the district is located in whole or in part.

Sec. 5. Minnesota Statutes 1980, Section 273.74, Subdivision 2, is amended to read:

Subd. 2. [CONSULTATIONS; COMMENT AND FILING.] Before formation of a tax increment financing district, the authority shall provide an opportunity to the members of the county boards of commissioners of any county in which any portion of the proposed district is located and the members of the school board of any school district in which any portion of the proposed district is located to meet with the authority. The authority shall present to the members of the county boards of commissioners and the school boards its estimate of the fiscal and economic implications of the proposed tax increment financing district. The members of the county boards of commissioners and the school boards may present their comments at the public hearing on the tax increment financing plan required by subdivision 3. *The county auditor shall not certify the original assessed value of a district pursuant to section 273.76, subdivision 1, until the county board of commissioners has presented its written comment on the proposal to the authority, or 45 days has passed from the date of the transmittal to the board of the information regarding the fiscal and economic implications, whichever occurs first.* Upon adoption of the tax increment financing plan, the authority shall file the same with the state planning agency.

Sec. 6. Minnesota Statutes 1980, Section 273.74, Subdivision 3, is amended to read:

Subd. 3. [MUNICIPALITY APPROVAL.] No county auditor shall certify the original assessed value of a tax increment financing district until the tax increment financing plan proposed for that district has been approved by the municipality in which the district is located *and, until the requirements of subdivision 3b have been met and, in the case of a plan for an economic development district, until the requirements of subdivision 3a have been met.* If an authority which proposes to establish a tax increment financing district and the municipality are not the same, the authority shall apply to the municipality

in which the district is proposed to be located and shall obtain the approval of its tax increment financing plan by the municipality before the authority may use tax increment financing. The municipality shall approve the tax increment financing plan only after a public hearing thereon after published notice in a newspaper of general circulation in the municipality at least once not less than ten days nor more than 30 days prior to the date of the hearing. This hearing may be held before or after the approval or creation of the project or it may be held in conjunction with a hearing to approve the project. Before or at the time of approval of the tax increment financing plan, the municipality shall make the following findings, *and shall set forth in writing the reasons and supporting facts for each determination*:

(a) That the proposed tax increment financing district is a redevelopment district, a housing district or an economic development district ~~and the specific bases for such determination.~~

(b) That the proposed development or redevelopment; ~~in the opinion of the municipality,~~ would not *reasonably be expected* to occur solely through private investment within the reasonably foreseeable future and therefore the use of tax increment financing is deemed necessary.

(c) That the tax increment financing plan conforms to the general plan for the development or redevelopment of the municipality as a whole.

(d) That the tax increment financing plan will afford maximum opportunity, consistent with the sound needs of the municipality as a whole, for the development or redevelopment of the district by private enterprise.

(e) That the municipality elects the method of tax increment computation set forth in section 273.76, subdivision 3, clause (b), if applicable.

When the municipality and the authority are not the same, the municipality shall approve or disapprove the tax increment financing plan within 60 days of submission by the authority, or the plan shall be deemed approved. When the municipality and the authority are not the same, the municipality may not amend or modify a tax increment financing plan except as proposed by the authority pursuant to subdivision 4. Once approved, the determination of the authority to undertake the project through the use of tax increment financing and the resolution of the governing body shall be conclusive of the findings therein and of the public need for such financing.

Sec. 7. Minnesota Statutes 1980, Section 273.74, is amended by adding a subdivision to read:

Subd. 3a. [REVERSE REFERENDUM.] Upon approval by the governing body of the municipality of the use of tax increment financing for an economic development district pursuant to subdivision 3, the governing body shall publish a notice of the approval in a newspaper of general circulation in the municipality. If within 30 days after the date of publication, a petition signed by voters equal in number to 15 percent of the votes cast in the municipality in the last general election as defined in section 200.02, subdivision 2, requesting a referendum on the use of tax increment financing for the project, is filed with the clerk or recorder of the municipality, the district shall not be certified until the question has been submitted to the voters at a general or special election and a majority of votes cast on the question are in the affirmative.

Sec. 8. Minnesota Statutes 1980, Section 273.74, is amended by adding a

subdivision to read:

Subd. 3b. [HOME RULE CHARTER AMENDMENTS.] Nothing in sections 273.71 to 273.78 shall be construed to prevent a home rule charter city from adopting a charter amendment requiring a local referendum on the formation of all tax increment districts within that city.

Sec. 9. Minnesota Statutes 1980, Section 273.74, Subdivision 4, is amended to read:

Subd. 4. [MODIFICATION OF PLAN.] A tax increment financing plan may be modified by an authority, provided that any reduction or enlargement of geographic area, increase in amount of bonded indebtedness to be incurred, including a determination to capitalize interest on the debt if that determination was not a part of the original plan, or to increase or decrease the amount of interest on the debt to be capitalized, increase in the portion of the captured assessed value to be retained by the authority, increase in total estimated tax increment expenditures or designation of additional property to be acquired by the authority shall be approved upon the notice and after the discussion, public hearing and findings required for approval of the original plan; provided that if an authority changes the type of project from housing, redevelopment or economic development to another type of project, this change shall not be considered a modification but shall require the authority to follow the procedure set forth in sections 273.71 to 273.78 for adoption of a new plan, including certification of the assessed valuation of the district by the county auditor.

The geographic area of a tax increment financing district may be reduced, but shall not be enlarged after five years following the date of certification of the original assessed value by the county auditor or five years from August 1, 1979, for tax increment financing districts authorized prior to August 1, 1979, except that development districts created pursuant to chapter 472A prior to August 1, 1979 may be reduced but shall not be enlarged after five years following the date of designation of such district.

Sec. 10. Minnesota Statutes 1980, Section 273.75, Subdivision 3, is amended to read:

Subd. 3. [LIMITATION ON ADMINISTRATIVE EXPENSES.] No tax increment shall be used to pay any administrative expenses for a district which exceed five eight percent of the total tax increment expenditures authorized by the tax increment financing plan or the total tax increment expenditures for the district, whichever is less.

Sec. 11. Minnesota Statutes 1980, Section 273.75, Subdivision 4, is amended to read:

Subd. 4. [LIMITATION ON USE OF TAX INCREMENT.] All revenues derived from tax increment shall be used in accordance with the tax increment financing plan. The revenues shall be used solely for the following purposes: (a) to pay the principal of and interest on bonds issued to finance a project; (b) by a rural development financing authority for the purposes stated in section 362A.01, subdivision 2, by a port authority or municipality exercising the powers of a port authority to finance or otherwise pay the cost of redevelopment pursuant to chapter 458, by a housing and redevelopment authority to finance or otherwise pay public redevelopment costs pursuant to chapter 462,

by a municipality to finance or otherwise pay the capital and administration costs of a development district pursuant to chapter 472A, by a municipality or redevelopment agency to finance or otherwise pay premiums for insurance guaranteeing the payment of net rentals when due under the project lease or to accumulate and maintain a reserve securing the payment when due of the principal of and interest on the bonds pursuant to chapter 474. These revenues shall not be used to circumvent existing levy limit law. *No revenues derived from tax increment shall be used for the construction or renovation of a municipally owned building used primarily and regularly for conducting the business of the municipality; this provision shall not prohibit the use of revenues derived from tax increments for the construction or renovation of a parking structure, a commons area used as a public park or a facility used for social or recreational purposes and not primarily for conducting the business of the municipality. No more than 15 percent of the proceeds from the sale of tax increment bonds with respect to a tax increment district shall be used for the construction of or improvements to a trunk highway.*

Sec. 12. Minnesota Statutes 1980, Section 273.75, Subdivision 6, is amended to read:

Subd. 6. [LIMITATION ON INCREMENT.] If, after ~~five~~ four years from the date of certification of the original assessed value of the tax increment financing district pursuant to section 273.76, no demolition, rehabilitation or renovation of property or other site preparation, including improvement of a street adjacent to a parcel but not installation of utility service *including sewer or water systems*, has been commenced on a parcel located within a tax increment financing district by the authority or by the owner of the parcel in accordance with the tax increment financing plan, no additional tax increment may be taken from that parcel, and the original assessed value of that parcel shall be excluded from the original assessed value of the tax increment financing district. If the authority or the owner of the parcel subsequently commences demolition, rehabilitation or renovation or other site preparation on that parcel including improvement of a street adjacent to that parcel, in accordance with the tax increment financing plan, the authority shall certify to the county auditor that the activity has commenced, and the county auditor shall certify the assessed value thereof as most recently certified by the commissioner of revenue and add it to the original assessed value of the tax increment financing district. For purposes of this subdivision "parcel" means a tract or plat of land established *prior to the certification of the district* as a single unit for purposes of assessment.

Sec. 13. Minnesota Statutes 1980, Section 273.75, is amended by adding a subdivision to read:

Subd. 7. [SUBSEQUENT DISTRICTS.] *No parcel may be included in a tax increment district if, at any time during the 20 years prior to the date when certification of the district is requested pursuant to section 273.76, subdivision 1, that parcel had been included in an economic development district.*

Sec. 14. Minnesota Statutes 1980, Section 273.76, Subdivision 4, is amended to read:

Subd. 4. [PRIOR PLANNED IMPROVEMENTS.] The authority shall, after due and diligent search, accompany its request for certification to the county auditor pursuant to subdivision 1, or its notice of district enlargement

pursuant to section 273.74, subdivision 5, with a listing of all properties within the tax increment financing district or area of enlargement for which building permits have been issued during the 18 months immediately preceding approval of the tax increment financing plan by the municipality pursuant to section 273.74, subdivision 4. ~~For 12 months after completion of the improvements for which a building permit was issued during said 18 month period.~~ The county auditor is ~~authorized, but not required,~~ to *shall* increase the original assessed value of the district by the assessed valuation of the improvements for which the building permit was issued, as certified by the assessor.

Sec. 15. Minnesota Statutes 1980, Section 273.77, is amended to read:

273.77 [TAX INCREMENT BONDING.]

Any other law, general or special, notwithstanding, after August 1, 1979 no bonds, payment for which tax increment is pledged, shall be issued in connection with any project for which tax increment financing has been undertaken other than as is authorized hereby and the proceeds therefrom shall be used only in accordance with section 273.75, subdivision 4 as if said proceeds were tax increment, except that a tax increment financing plan need not be adopted for any project for which tax increment financing has been undertaken prior to August 1, 1979, pursuant to statutes not requiring a tax increment financing plan. Such bonds shall not be included for purposes of computing the net debt of any municipality.

(a) A municipality may issue general obligation bonds to finance any expenditure by the municipality or an authority the jurisdiction of which is wholly or partially within that municipality, pursuant to section 273.75, subdivision 4 in the same manner and subject only to the same conditions as those provided in chapter 475 for bonds financing improvement costs reimbursable from special assessments. Any pledge of tax increment, assessments or other revenues for the payment of the principal of and interest on general obligation bonds issued under this subdivision, except when the authority and the municipality are the same, shall be made by written agreement by and between the authority and the municipality and filed with the county auditor. When the authority and the municipality are the same, the municipality may by covenant pledge tax increment, assessments or other revenues for the payment of the principal of and interest on general obligation bonds issued under this subdivision and thereupon shall file the resolution containing such covenant with the county auditor. When tax increment, assessments and other revenues are pledged, the estimated collections of said tax increment, assessments and any other revenues so pledged may be deducted from the taxes otherwise required to be levied before the issuance of the bonds under section 475.61, subdivision 1, or the collections thereof may be certified annually to reduce or cancel the initial tax levies in accordance with section 475.61, subdivision 1 or 3.

(b) When the authority and the municipality are not the same, an authority may, by resolution, authorize, issue and sell its general obligation bonds to finance any expenditure which that authority is authorized to make by section 273.75, subdivision 4. Said bonds of the authority shall be authorized by its resolution, shall mature as determined by resolution of the authority in accordance with Laws 1979, Chapter 322, and may be issued in one or more series and shall bear such date or dates, bear interest at such rate or rates, be in such denomination or denominations, be in such form either coupon or registered,

carry such conversion or registration privileges, have such rank or priority, be executed in such manner, be payable in medium of payment at such place or places, and be subject to such terms of redemption, with or without premium, as such resolution, its trust indenture or mortgage may provide. The bonds may be sold at public or private sale at the price or prices as the authority by resolution shall determine, and any provision of any law to the contrary notwithstanding, the bonds shall be fully negotiable. In any suit, actions, or proceedings involving the validity of enforceability of any bonds of the authority or the security therefor, any bond reciting in substance that it has been issued by the authority to aid in financing a district shall be conclusively deemed to have been issued for such purpose, and the district shall be conclusively deemed to have been planned, located, and carried out in accordance with the purposes and provisions of Laws 1979, Chapter 322. Neither the authority, nor any director, commissioner, council member, board member, officer, employee or agent of the authority nor any person executing the bonds shall be liable personally on the bonds by reason of the issuance thereof. The bonds of the authority, and such bonds shall so state on their face, shall not be a debt of any municipality, the state or any political subdivision thereof, and neither the municipality nor the state or any political subdivision thereof shall be liable thereon, nor in any event shall such bonds be payable out of any funds or properties other than those of the authority and any tax increment and revenues of a tax increment financing district pledged therefor.

(c) Notwithstanding any other law general or special, an authority may, by resolution, authorize, issue and sell revenue bonds payable solely from all or a portion of revenues, including but not limited to tax increment revenues and assessments, derived from a tax increment financing district located wholly or partially within the municipality to finance any expenditure which the authority is authorized to make by section 273.75, subdivision 4. The bonds shall mature as determined by resolution of the authority in accordance with Laws 1979, Chapter 322 and may be issued in one or more series and shall bear such date or dates, bear interest at such rate or rates, be in such denomination or denominations, be in such form either coupon or registered, carry such conversion or registration privileges, have such rank or priority, be executed in such manner, be payable in medium of payment at such place or places, and be subject to such terms of redemption, with or without premium, as such resolution, its trust indenture or mortgage may provide. The bonds may be sold at public or private sale at the price or prices as the authority by resolution shall determine, and any provision of any law to the contrary notwithstanding, shall be fully negotiable. In any suit, action, or proceedings involving the validity or enforceability of any bonds of the authority or the security therefor, any bond reciting in substance that it has been issued by the authority to aid in financing a district shall be conclusively deemed to have been issued for such purpose; and the district shall be conclusively deemed to have been planned, located, and carried out in accordance with the purposes and provisions of Laws 1979, Chapter 322. Neither the authority, nor any director, commissioner, council member, board member, officer, employee or agent of the authority nor any person executing the bonds shall be liable personally on the bonds by reason of the issuance thereof. The bonds may be further secured by a pledge and mortgage of all or any portion of the district in aid of which the bonds are issued and such covenants as the authority shall deem by such resolution to be necessary and proper to secure payment of the bonds. The bonds, and the

bonds shall so state on their face, shall not be payable from nor charged upon any funds other than the revenues and property pledged or mortgaged to the payment thereof, nor shall the issuing authority be subject to any liability thereon or have the powers to obligate itself to pay or pay the bonds from funds other than the revenues and properties pledged and mortgaged and no holder or holders of the bonds shall ever have the right to compel any exercise of any taxing power of the issuing authority or any other public body, other than as is permitted or required under Laws 1979, Chapter 322 and pledged therefor hereunder, to pay the principal of or interest on any such bonds, nor to enforce payment thereof against any property of the authority or other public body other than that expressly pledged or mortgaged for the payment thereof.

(d) (1) In anticipation of the issuance of bonds pursuant to either paragraph (a), (b) or (c) of this section, the authority or municipality may by resolution issue and sell temporary bonds pursuant to paragraph (a), (b) or (c), maturing within not more than three years from their date of issue, to pay any part or all of the cost of a project. To the extent that the principal of and interest on the temporary bonds cannot be paid when due from receipts of tax increment, assessments, or other funds appropriated for the purpose, they shall be paid from the proceeds of long-term bonds or additional temporary bonds which the authority or municipality shall offer for sale in advance of the maturity date of the temporary bonds, but the indebtedness funded by an issue of temporary bonds shall not be extended by the issue of additional temporary bonds for more than six years from the date of the first issue. Long-term bonds may be issued pursuant to paragraph (a), (b) or (c) without regard to whether the temporary bonds were issued pursuant to paragraph (a), (b) or (c). If general obligation temporary bonds are issued pursuant to paragraph (a), proceeds of long-term bonds or additional temporary bonds not yet sold may be treated as pledged revenues, in reduction of the tax otherwise required by section 475.61 to be levied prior to delivery of the obligations. Subject to the six-year maturity limitation contained above, but without regard to the requirement of section 475.58, if any temporary bonds are not paid in full at maturity, in addition to any other remedy authorized or permitted by law, the holders may demand, in which case the authority or municipality shall, issue pursuant to paragraph (a), (b) or (c) as the temporary bonds and in exchange for the temporary bonds, at par, replacement temporary bonds dated as of the date of the replaced temporary bonds, maturing within one year from the date of the replacement temporary bonds and earning interest at the rate set forth in the resolution authorizing the issuance of the replaced temporary bonds, provided that the rate shall not exceed the maximum rate permitted by law at the date of issue of the replaced temporary bonds.

(2) Funds of a municipality may be invested in its temporary bonds in accordance with the provisions of section 471.56, and may be purchased upon their initial issue, but shall be purchased only from funds which the governing body of the municipality determines will not be required for other purposes before the maturity date, and shall be resold before maturity only in case of emergency. If purchased from a debt service fund securing other bonds, the holders of those bonds may enforce the municipality's obligations on the temporary bonds in the same manner as if they held the temporary bonds.

Sec. 16. [EFFECTIVE DATE.]

Sections 1 to 13 and 15 are effective with respect to districts for which

certification is requested after June 30, 1981, except that the provisions of section 9 relating to changes in the type of an existing project shall apply to any district the type of which is changed subsequent to the date of final enactment of this act. Section 14 is effective with respect to districts for which certification is requested or districts which are modified by a reduction or enlargement of geographic area after December 31, 1981."

Amend the title as follows:

Page 1, line 4, after "Sections" insert "124.212, Subdivision 10;"

Page 1, line 5, delete "Subdivision" and insert "Subdivisions" and after "10" insert "and 13"

Page 1, line 6, delete "a subdivision" and insert "subdivisions"

Page 1, line 7, before "4" insert "3," and after "adding" delete "subdivisions" and insert "a subdivision"

Page 1, delete lines 8 to 10 and insert "273.76, Subdivision 4; and 273.77."

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

Mr. Willet from the Committee on Finance, 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 proceeds 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, Subdivision 17, as amended, and by adding subdivisions; 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; Laws 1973, Chapter 683, Section 26, Subdivision 13; and Laws 1980, Chapter 609, Article IV, Sections 19, 20 and 21.

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

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

H. F. Nos. 673 and 936 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.
673	477				
936	1076				

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H. F. No. 673 be amended as follows:

Page 1, line 18, after "1982" insert a comma

Page 4, line 5, after "violated" insert "or is about to violate"

Page 4, line 16, delete "licensees" and insert "witnesses"

Page 4, delete lines 24 to 32

And when so amended H. F. No. 673 will be identical to S. F. No. 477, and further recommends that H. F. No. 673 be given its second reading and substituted for S. F. No. 477, and that the Senate File be indefinitely postponed.

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H. F. No. 936 be amended as follows:

Page 1, line 21, delete "\$25,000" and insert "\$18,000"

Page 1, line 22, after "such" insert "the"

Page 1, after line 23, insert:

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

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

Page 1, line 24, delete "2" and insert "3"

Page 1, line 27, delete "\$25,000" insert "\$18,000"

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

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

Page 2, line 11, delete "\$7,500" and insert "\$6,000"

Page 2, line 14, delete "at the forest" and insert "held in the forestry"

Page 2, line 15, delete "most"

Page 2, line 16, delete "closest" and insert "close"

Page 2, line 18, delete "may" and insert "shall"

Page 2, line 23, delete the language after "hold," and insert "no"

Page 2, delete lines 24 and 25

Page 2, line 26, delete "but at the same sale a successful"

Page 2, line 28, delete "(5)"

Page 2, line 29, delete the comma

Page 2, line 30, delete "(6)"

Page 2, delete lines 31 to 34 and insert:

"(5) the bond or deposit required pursuant to section 90.161 or 90.173 shall be given or deposited before any cutting begins, or not later than nine months after the date of the sale, whichever is earlier;"

Page 2, line 35, delete everything before "in" and insert "(6)"

Page 3, line 3, delete "(8)" and insert "(7)"

Page 3, line 5, delete "or to a person"

Page 3, line 6, delete "having more than 35 employees" and delete "(9)" and insert "(8)"

Page 3, line 7, insert "(9) No sale may be made to a person having more than 25 employees;"

Page 3, line 11, delete "an" and insert "one"

Page 3, line 21, delete "\$7,500" and insert "\$6,000"

Page 3, line 23, delete "4" and insert "5"

Page 3, lines 27 and 28, delete "3, which" and insert "4, that"

Page 3, line 28, delete "3" and insert "4"

Page 3, line 30, delete "5" and insert "6"

Page 3, line 33, strike everything after "contracts"

Page 4, line 8, delete "not less than"

Page 4, after line 14, insert:

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

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

Page 4, line 14, delete "6" and insert "8"

Page 4, line 24, insert a comma after "certificate" and delete "a" and insert "an"

Page 4, line 36, delete "of"

Page 5, line 1, delete everything before "if"

Page 5, after line 5, insert:

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

Page 5, line 6, delete "7" and insert "9"

Page 5, line 10, strike "of" and delete the new language

Page 5, line 11, strike "percent per annum from date" and insert "determined pursuant to section 549.09"

Page 5, line 34, delete "8" and insert "10"

Page 6, line 3, strike "individual" and insert "person"

Page 6, line 5, strike "which" and insert "that"

Page 6, delete lines 10 to 26 and insert "the spouses of partners who are

actively engaged in the business of logging; and (2) a corporation, of which a majority of the shares and voting power are owned by natural persons related to each other within the fourth degree of kindred according to the rules of the civil law or their spouses or estates, may be holding two permits for each of not more than three shareholders who are actively engaged in the business of logging or who are the spouses of persons who are actively engaged in the business of logging with that corporation."

Page 6, line 27, delete "10" and insert "11"

Page 6, line 30, strike "dead, down and mature"

Page 8, line 7, strike "green standing,"

Page 8, line 8, strike "dead, down, dying, insect infected or diseased"

Page 9, after line 23, insert:

"Sec. 12. [EXTENSION OF CERTAIN PERMITS.]

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

Page 9, line 24, delete "11" and insert "13"

Page 9, delete lines 25 and 26 and insert:

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

Amend the title as follows:

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

Page 1, line 6, delete "sale" and insert "permitting extension of certain timber permits; amending Minnesota Statutes 1980, Sections 90.031, Subdivision 4; 90.041, by adding a subdivision; 90.101, Subdivision 1; 90.151, Subdivisions 11 and 13; 90.161, Subdivision 1; 90.173; 90.181, Subdivision 2; 90.191, Subdivision 1; 282.04, Subdivision 1; proposing new law coded in Minnesota Statutes, Chapter 90."

Page 1, delete lines 7 to 12

And when so amended H. F. No. 936 will be identical to S. F. No. 1076, and further recommends that H. F. No. 936 be given its second reading and substituted for S. F. No. 1076, and that the Senate File be indefinitely postponed.

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

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

H. F. Nos. 774, 1065, 1044, and 636 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.
774	1292				
1065	1160				
1044	613				
636	764				

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H. F. No. 774 be amended as follows:

Page 1, line 16, strike "such" and insert "the"

Page 1, line 17, strike "such" and insert "the"

Page 1, line 21, delete the new language

Page 1, delete lines 22 to 24

Page 1, line 25, strike "so"

Page 2, line 3, before "A" insert "However,"

Page 2, line 4, after "in" insert "civil"

Page 2, line 5, delete the comma and "only"

Page 2, line 9, delete "good cause exists" and insert "to compel disclosure"

Page 2, line 12, delete the new language after the period

Page 2, delete line 13

Page 2, line 23, strike "such" and insert "the"

Page 2, line 23, before "prosecuting" insert "investigating, petitioning, or"

Page 2, line 25, before "prosecuting" insert "investigating, petitioning, or"

Page 2, line 25, delete "or investigating"

Page 2, line 27, delete "investigation or", strike "litigation" and insert "investigation, petition, or prosecution"

Page 2, line 31, delete "15.17", strike "and" and insert "15.1699."

Page 2, line 34, strike "only"

Page 2, line 36, after "sheriff" insert "only"

Page 3, line 1, delete the comma

Page 3, line 5, reinstate "as follows:"

Amend the title as follows:

Page 1, lines 2 and 3, delete "confidentiality of records of"

Page 1, line 3, delete the comma

Page 1, line 4, delete "allowing for sharing of records" and insert "allow-

ing courts to compel testimony”

And when so amended H. F. No. 774 will be identical to S.F. No. 1292, and further recommends that H. F. No. 774 be given its second reading and substituted for S. F. No. 1292, and that the Senate File be indefinitely postponed.

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H. F. No. 1065 be amended as follows:

Page 3, line 33, after “*section*” insert a comma

Page 4, line 8, after “*subscribers*” delete “*or spouses of subscribers*”

And when so amended H. F. No. 1065 will be identical to S.F. No. 1160, and further recommends that H. F. No. 1065 be given its second reading and substituted for S. F. No. 1160, and that the Senate File be indefinitely postponed.

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H. F. No. 1044 be amended as follows:

Page 2, line 17, delete “*American*”

Page 2, line 17, after “*exists*” insert “*in the United States*”

And when so amended H. F. No. 1044 will be identical to S.F. No. 613, and further recommends that H. F. No. 1044 be given its second reading and substituted for S. F. No. 613, and that the Senate File be indefinitely postponed.

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H. F. No. 636 be amended as follows:

Page 1, after the enacting clause, insert:

“Section 1. Minnesota Statutes 1980, Section 268.04, Subdivision 2, is amended to read:

Subd. 2. “Base period” means the period of fifty-two calendar weeks immediately preceding the first day of an individual’s benefit year. Provided, however, that if a claimant received weekly worker’s compensation for temporary total disability under the provisions of chapter 176 or under a similar law of the United States *or of the several states* for more than seven weeks within the base period, as heretofore defined, his base period shall be lengthened by the number of such weeks, but not to exceed 52 weeks, for which he received such payments; provided further, that no extended base period shall include wage credits upon which benefits were established and paid with respect to a prior valid claim.”

Page 1, line 7, delete “Section 1” and insert “Sec. 2”

Page 2, line 27, after “*earnings*” reinstate the stricken comma

Page 2, line 27, after “*including*” insert “*excluding*”

Page 2, line 27, reinstate “*holiday pay,*”

Page 2, line 28, after the period, delete the new language

Page 2, delete line 29

Page 2, after line 34, insert:

“Sec. 3. [EFFECTIVE DATE.]

Section 1 is effective retroactively to January 1, 1980, and applies to claims for benefits filed on and after that date. Section 2 is effective for claims filed after August 1, 1981.”

Amend the title as follows:

Page 1, line 2, delete “requiring” and insert “clarifying the provisions extending the base period in cases of the receipt of certain workers’ compensation benefits; providing that”

Page 1, line 3, delete “to”

Page 1, line 4, delete “Section” and insert “Sections 268.04, Subdivision 2; and”

And when so amended H. F. No. 636 will be identical to S.F. No. 764, and further recommends that H. F. No. 636 be given its second reading and substituted for S. F. No. 764, 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. 619 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.
619	602				

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.

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

**STATE BOARD OF INVESTMENT
EXECUTIVE SECRETARY**

Jonathan P. White

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

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

SECOND READING OF SENATE BILLS

S. F. Nos. 738, 1237, 1018, 1152, 1205, 440, 635 and 150 were read the second time.

SECOND READING OF HOUSE BILLS

H. F. Nos. 673, 936, 774, 1065, 1044, 636 and 619 were read the second time.

MOTIONS AND RESOLUTIONS

Mr. Merriam moved that the name of Mr. Dicklich be added as co-author to S. F. No. 766. The motion prevailed.

Mr. Willet moved that H. F. No. 70 be withdrawn from the Committee on Finance and laid on the table. The motion prevailed.

Mr. Tennesen moved that S. F. No. 568 be taken from the table. The motion prevailed.

S. F. No. 568: A bill for an act relating to financial institutions; permitting banks to make adjustable-rate mortgage loans; proposing new law coded in Minnesota Statutes, Chapter 48.

Mr. Tennesen moved that S. F. No. 568 be placed at the top of General Orders. The motion prevailed.

Mr. Knoll moved that H. F. No. 969 be taken from the table. The motion prevailed.

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

Mr. Knoll moved that the Senate accede to the request of the House for a Conference Committee on H. F. No. 969, 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.

SUSPENSION OF RULES

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

CALENDAR

S. F. No. 376: A bill for an act relating to taxation; altering the method of taxing the income of certain oil companies by prohibiting their use of certain deductions and requiring use of combined worldwide income; eliminating the use of the arithmetic average allocation formula for major oil companies;

amending Minnesota Statutes 1980, Sections 290.01, by adding a subdivision; 290.09, Subdivision 1; 290.091; 290.19, Subdivision 1; and 290.21, Subdivision 4.

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

The question as taken on the passage of the bill.

Mr. Ashbach moved that those not voting be excused from voting. The motion did not prevail.

Mr. Ashbach moved that those not voting be excused from voting. The motion did not prevail.

The roll was called, and there were yeas 35 and nays 27, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Ashbach	Bertram	Keefe	Petty	Sieloff
Bang	Brataas	Knutson	Pillsbury	Taylor
Belanger	Davis	Kronebusch	Ramstad	Ulland
Benson	Engler	Lindgren	Renneke	
Berg	Frederick	Peterson, D. L.	Rued	
Bernhagen	Frederickson	Peterson, R. W.	Schmitz	

So the bill passed and its title was agreed to.

H. F. No. 912: A bill for an act relating to Minnesota Statutes; correcting erroneous, ambiguous, omitted and obsolete references and text; eliminating redundant, conflicting and superseded provisions; reenacting certain laws; amending Minnesota Statutes 1980, Sections 10.30; 12.03, Subdivision 9; 12.25, Subdivision 1; 15.0412, Subdivision 4d; 15.1611, Subdivisions 1 and 2; 15.1621, Subdivision 2; 15.163, Subdivision 6; 15.166, Subdivisions 1, 2 and 4; 15.1671; 15.50, Subdivision 1; 15.61, Subdivision 2; 16.172; 16.822, Subdivisions 3 and 6; 17.72; 17B.23; 27.01, Subdivision 1; 31.58; 32A.04, Subdivision 1; 35.067; 40.05, Subdivision 4; 40.071; 43.12, Subdivision 19; 43.126, Subdivisions 1 and 2; 43.24, Subdivision 2; 43.323, Subdivision 3; 47.203; 48.88, Subdivision 2; 50.14, Subdivision 5, as reenacted; 55.15; 60A.23, Subdivision 8; 62A.152, Subdivision 2; 62D.22, Subdivision 6; 62D.28, Subdivisions 2 and 3; 65B.05; 65B.06, Subdivision 2; 65B.71, Subdivision 2; 69.031, Subdivision 5; 69.29; 72A.20, Subdivision 15; 72C.11; 79.34, Subdivision 1; 84.55; 84A.52; 84B.05; 90.195; 92.36; 93.45, Subdivision 2; 111.09, Subdivision 2; 111.11; 111.31; 111.36; 111.78; 112.43, Subdivision 2; 115.34, Subdivision 1; 116.02, Subdivision 3; 116.06, Subdivision 1; 116.10; 122.532, Subdivision 3; 144.125; 144.653, Subdivision 1; 144.801, Subdivision 8; 144.92; 144A.01, Subdivision 2; 144A.10, Subdivision 3; 145.838, Subdivision 3; 148.88; 151.26, Subdivision 1; 161.38, Subdivision 6; 162.08, Subdivision 3; 173.12; 173.13, Subdivision 2; 173.20; 173.21; 174.256, Subdivision 5; 176.011, Subdivision 11a; 179.68, Sub-

division 2; 179.69, Subdivision 3a; 179.691; 179.692; 182.661, Subdivision 1; 183.52; 183.56; 183.57, Subdivision 2; 183.59; 197.13; 197.48; 197.603, Subdivision 2; 218.031, Subdivision 1; 218.041, Subdivisions 2, 7 and 8; 219.39; 219.40; 219.741; 237.30; 239.05, Subdivision 1; 239.09; 241.021, Subdivision 2; 241.045, Subdivision 6; 241.27, Subdivision 2; 241.62, Subdivision 5; 243.87; 245.05; 245.06; 245.07; 245.781; 245.782, Subdivisions 1, 11 and 12; 245.783, Subdivisions 1, 2 and 3; 245.791; 245.801, Subdivision 5; 245.802, Subdivision 2; 245.803, Subdivisions 1, 2 and 3; 245.812, Subdivisions 2, 5 and 6; 250.05, Subdivisions 2 and 4; 256.25; 256.263, Subdivision 1; 256.483, Subdivision 1; 256B.15; 256E.03, Subdivision 2; 256E.06, Subdivision 2; 257.64, Subdivision 1; 260.241, Subdivision 4; 273.13, Subdivision 6; 275.50, Subdivisions 2 and 5; 282.281; 290.05, Subdivision 1; 290.14; 290.35; 290.53, Subdivision 4; 290.92, Subdivision 5; 290A.01; 290A.02; 290A.03, Subdivisions 1, 3, 8, 11 and 12; 290A.08; 290A.09; 290A.11, Subdivision 1; 290A.13; 290A.15; 290A.16; 290A.17; 290A.20; 290A.22; 294.25; 295.34, Subdivision 1; 297.03, Subdivision 3; 298.223; 298.244, Subdivision 2; 299F.19, Subdivision 6; 299H.22, Subdivision 2; 308.07, Subdivision 10; 325F.34; 326.02, Subdivisions 1, 2, 3, 4a and 5; 326.03, Subdivision 5; 326.08, Subdivision 1; 326.11, Subdivision 1; 326.12, Subdivision 3; 326.13; 340.54, Subdivisions 1 and 2; 349.11; 352.22, Subdivision 3; 352B.075, Subdivision 1; 353.661, Subdivision 2; 353.71, Subdivision 1; 354.44, Subdivision 1a; 354A.21; 360.037, Subdivision 2; 368.86; 412.251; 414.0325, Subdivisions 1 and 5; 418.20; 423.075, Subdivision 2; 427.09; 447.34, Subdivision 1; 447.35; 447.45, Subdivision 1; 465.72; 471.371, Subdivision 3; 471.616, Subdivision 1; 471.617; 471.74, Subdivision 2; 473.438, Subdivision 3; 473F.02, Subdivision 17; 474.03; 480.059, Subdivision 7; 485.14; 508.37, by adding a subdivision; 518.155; 518.66; 595.021; 595.022; 611.07, Subdivision 3; 611.12, Subdivision 7; 626.556, Subdivision 11; 626A.12, Subdivision 5; 628.56; 629.404, Subdivision 1; Laws 1980, Chapter 614, Section 163; reenacting Minnesota Statutes 1980, Section 50.14, Subdivision 5; reenacting and validating Laws 1980, Chapters 528 and 556; repealing Minnesota Statutes 1980, Chapters 2A and 3B; Sections 115.15; 115.16; 218.041, Subdivision 3; 273.061, Subdivision 11; 282.11; 325F.33; 325F.49; 325F.50; 473F.08, Subdivision 11; 475.53, Subdivision 2; 508.37, Subdivision 1; Laws 1979, Chapters 40, Sections 6 and 9; 303, Article 2, Section 7, and Article 10, Section 7; and 334, Article 3, Section 15; Laws 1980, Chapters 437, Section 4; 460, Sections 5, 18, 19 and 27; 487, Section 14; 509, Section 127; 528, Section 4; 534, Sections 27, 31, 39, 47, 53 and 54; 579, Section 3; and 600, section 8.

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 40 and nays 22, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

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

So the bill passed and its title was agreed to.

H. F. No. 1218: A bill for an act relating to education; extending due dates for plans and reports relating to the statewide education management information system; authorizing the state board to perform certain duties according to specified criteria in the absence of rules; amending Minnesota Statutes 1980, Sections 121.931, Subdivisions 3, 4 and 7; and 121.938, 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 6, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Bang	Bertram	Knutson	Lindgren	Peterson, D.L.
Benson				

So the bill passed and its title was agreed to.

S. F. No. 724: A bill for an act relating to game and fish; altering requirements for taking and possession; prescribing requirements for carrying and use of firearms and ammunition; prescribing penalties; amending Minnesota Statutes 1980, Sections 97.4841, Subdivision 2; 98.45, Subdivision 1; 98.46, Subdivisions 2 and 14; 98.47, Subdivision 7; 98.52, Subdivision 1; 99.27, Subdivision 1; and 100.29, Subdivisions 3 and 9; repealing Minnesota Statutes 1980, Section 101.42, Subdivision 10.

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

The question was taken on the passage of the bill.

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

Those who voted in the affirmative were:

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

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

So the bill passed and its title was agreed to.

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

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

The question was taken on the passage of the bill.

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

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

S. F. No. 429: A bill for an act relating to public safety; regulating boilers, other apparatus and their operators; providing penalties; amending Minnesota Statutes 1980, Sections 183.375, Subdivision 2; 183.38; 183.39, Subdivision 1; 183.41, Subdivision 2; 183.411, Subdivision 3; 183.42; 183.44; 183.45; 183.46; 183.465; 183.48; 183.50; 183.51; 183.52; 183.53; 183.54; 183.545; 183.56; 183.57; 183.59; 183.60; 183.61; 183.62; and proposing new law coded in Minnesota Statutes, Chapter 183; repealing Minnesota Statutes 1980, Section 183.39, Subdivision 2.

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

The question was taken on the passage of the bill.

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

Those who voted in the affirmative were:

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

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

So the bill passed and its title was agreed to.

S. F. No. 984: A bill for an act relating to game and fish; increasing game and fish licenses and other fees; including resident alien in the definition of resident for purposes of game and fish licenses; requiring the commissioner of natural resources to submit a license consolidation and elimination proposal to the legislature; amending Minnesota Statutes 1980, Sections 97.40, Subdivision 21; 98.45, Subdivision 6; 98.46, Subdivisions 2, 2a, 3, 4, 5, 5a, 6, 7, 8, 9, 9a, 10, 11, 12, 14, 15, 16, 17, 18, and 19, and by adding a subdivision; 100.35, Subdivisions 1 and 5; and 101.44; proposing new law coded in Minnesota Statutes, Chapter 97; repealing Minnesota Statutes 1980, Section 99.28, Subdivision 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 55 and nays 10, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Ashbach	Berglin	Johnson	Purfeerst	Wegener
Bang	Dicklich	Pehler	Vega	Willet

So the bill passed and its title was agreed to.

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

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 53 and nays 10, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Ashbach	Bernhagen	Brataas	Moe, D.M.	Peterson, D.L.
Bang	Bertram	Frederick	Pehler	Rued

So the bill passed and its title was agreed to.

S. F. No. 1212: A bill for an act relating to municipalities; discontinuance of unprofitable municipal liquor stores; restricting expenditure of public funds for liquor store operation; publication of operating statement; amending Minnesota Statutes 1980, Section 340.353, by adding a subdivision; proposing new law coded in Minnesota Statutes, Chapters 426 and 471.

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 5, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Frank	Frederickson	Johnson	Kronebusch	Merriam
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So the bill passed and its title was agreed to.

Remaining on the Order of Business of Motions and Resolutions, Mr. Moe, R.D. moved that the Senate take up the General Orders Calendar. The motion prevailed.

GENERAL ORDERS

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

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

S. F. Nos. 941, 980, 1243 and H. F. Nos. 386, 14 and 6, which the committee recommends to pass.

H. F. No. 192, which the committee recommends to pass, subject to the following motion:

Mr. Vega moved that the amendment made to H. F. No. 192 by the Committee on Rules and Administration in the report adopted April 29, 1981, pursuant to Rule 49, be stricken. The motion prevailed. So the amendment was stricken.

H. F. No. 732, which the committee recommends to pass with the following amendment offered by Mr. Frederickson:

Amend H. F. No. 732, as amended pursuant to Rule 49, adopted by the Senate April 29, 1981, as follows:

(The text of the amended House File is identical to S. F. No. 1075.)

Page 1, line 14, after the first "*tenant*" insert "*between March 2 and the following October 31*"

The motion prevailed. So the amendment was adopted.

H. F. No. 817, which the committee recommends to pass with the following amendment offered by Mr. Spear:

Page 2, line 16, after "*limited*" insert "*, provided that teams or events are provided for each sex to the extent necessary to accommodate the demonstrated interest of each sex to participate in wrestling*"

The motion prevailed. So the amendment was adopted.

H. F. No. 691, which the committee recommends to pass with the following amendments offered by Mrs. Brataas and Mr. Sieloff:

Mrs. Brataas moved to amend H. F. No. 691, as amended pursuant to Rule 49, adopted by the Senate May 1, 1981, as follows:

(The text of the amended House File is identical to S. F. No. 1211.)

Page 1, line 16, delete "*registered professional*" and insert "*court*"

Page 2, line 6, delete "*registered*"

Page 2, line 7, delete "*professional*" and insert "*court*"

The motion prevailed. So the amendment was adopted.

Mr. Sieloff moved to amend H. F. No. 691, as amended pursuant to Rule 49, adopted by the Senate May 1, 1981, as follows:

(The text of the amended House File is identical to S.F. No. 1211.)

Page 1, lines 15 and 16, delete "*may, in its discretion,*" and insert "*must*"

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 29 and nays 17, as follows:

Those who voted in the affirmative were:

Bang	Davis	Johnson	Lessard	Renneke
Belanger	Dicklich	Keefe	Lindgren	Schmitz
Benson	Dieterich	Knoll	Peterson, C.C.	Sieloff
Berg	Engler	Kroening	Petty	Vega
Berglin	Frank	Kronebusch	Purfeerst	Waldorf
Dahl	Frederickson	Lantry	Ramstad	

Those who voted in the negative were:

Ashbach	Frederick	Moe, R.D.	Pillsbury	Willet
Bernhagen	Hughes	Nelson	Rued	
Brataas	Menning	Penny	Taylor	
Davies	Merriam	Peterson, D.L.	Tennessen	

The motion prevailed. So the amendment was adopted.

The question was taken on the recommendation to pass H. F. No. 691.

The roll was called, and there were yeas 25 and nays 24, as follows:

Those who voted in the affirmative were:

Ashbach	Dahl	Hughes	Nelson	Rued
Benson	Davies	Langseth	Olhoft	Schmitz
Berg	Engler	Luther	Peterson, D.L.	Taylor
Bernhagen	Frederick	Menning	Pillsbury	Tennessen
Brataas	Frederickson	Merriam	Ramstad	Waldorf

Those who voted in the negative were:

Belanger	Keefe	Lessard	Petty	Stern
Dicklich	Knoll	Lindgren	Purfeerst	Stokowski
Dieterich	Kroening	Moe, R. D.	Renneke	Vega
Frank	Kronebusch	Penny	Sieloff	Willet
Johnson	Lantry	Peterson, C.C.	Sikorski	

The motion prevailed. So H. F. No. 691 was recommended to pass.

H. F. No. 276, which the committee recommends to pass with the following amendment offered by Mr. Merriam:

Page 2, after line 27, insert:

"Sec. 2. Minnesota Statutes 1980, Section 480.0595, is amended to read:
480.0595 [JUVENILE COURT RULES.]

The supreme court shall promulgate rules to regulate the pleadings, practice, procedure and the forms thereof in juvenile proceedings in all juvenile courts of the state in accordance with the provisions of section 480.059, except with respect to the composition of the advisory committee. The rules shall be published and distributed to the judiciary and attorneys of the state on or before September 1, ~~1981~~ 1982."

Amend the title as follows:

Page 1, line 5, delete "Section" and insert "Sections" and before the period, insert "and 480.0595"

The motion prevailed. So the amendment was adopted.

S. F. No. 118, which the committee recommends to pass after the following motions:

Mr. Waldorf moved to amend S. F. No. 118 as follows:

Page 1, after line 22, insert:

"Subd. 3. [PETTY MISDEMEANOR.] *Whoever uses tobacco or tobacco related devices and is under the age of 18 years is guilty of a petty misdemeanor.*"

Amend the title as follows:

Page 1, line 4, after "using" insert "tobacco or"

The question was taken on the adoption of the amendment.

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

Those who voted in the affirmative were:

Bang	Engler	Lindgren	Purfeerst	Ulland
Belanger	Frank	Luther	Renneke	Vega
Benson	Hughes	Menning	Rued	Waldorf
Berg	Johnson	Moe, R. D.	Schmitz	Willet
Bertram	Kroening	Olhoft	Sieloff	
Chmielewski	Kronebusch	Pehler	Sikorski	
Dieterich	Langseth	Peterson, C. C.	Taylor	

Those who voted in the negative were:

Brataas	Keefe	Merriam	Ramstad	Wegener
Davies	Knoll	Moe, D. M.	Spear	
Davis	Lantry	Nelson	Stern	
Dicklich	Lessard	Pillsbury	Stumpf	

The motion prevailed. So the amendment was adopted.

Mr. Sieloff moved to amend S. F. No. 118 as follows:

Page 1, line 22, after "a" insert "petty"

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 7 and nays 50, as follows:

Those who voted in the affirmative were:

Bang	Engler	Petty	Sieloff	Spear
Berglin	Moe, D. M.			

Those who voted in the negative were:

Benson	Frederick	Langseth	Pehler	Setzepfandt
Berg	Frederickson	Lantry	Penny	Sikorski
Bernhagen	Hanson	Lessard	Peterson, C. C.	Stokowski
Bertram	Hughes	Lindgren	Peterson, D. L.	Stumpf
Brataas	Johnson	Luther	Peterson, R. W.	Taylor
Chmielewski	Keefe	Menning	Pillsbury	Ulland
Davies	Knoll	Merriam	Purfeerst	Vega
Davis	Knutson	Moe, R. D.	Ramstad	Waldorf
Dieterich	Kroening	Nelson	Renneke	Wegener
Frank	Kronebusch	Olhoft	Schmitz	Willet

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

H. F. No. 562, which the committee reports progress, subject to the following motion:

Mr. Purfeerst moved to amend H. F. No. 562, the unofficial engrossment, as follows:

Page 6, line 17, delete "in packages"

The motion prevailed. So the amendment was adopted.

H. F. No. 562 was then progressed.

H. F. No. 2, which the committee recommends to pass with the following

amendment offered by Mr. Waldorf:

Amend H. F. No. 2, the unofficial engrossment, as follows:

Page 6, line 4, delete "*with force or violence*"

Page 6, line 5, after "*degree*" insert "*with force or violence*"

The motion prevailed. So the amendment was adopted.

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

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. 1052: Messrs. Olhoft, Setzepfandt and Rued.

H. F. No. 157: Ms. Berglin, Messrs. Dicklich and Benson.

H. F. No. 969: Messrs. Knoll, Knutson and Luther.

H. F. No. 582: Messrs. Merriam, Lessard and Bernhagen.

H. F. No. 1446: Messrs. Sikorski, Knutson, Spear, Solon and Ms. Berglin.

H. F. No. 1434: Messrs. Menning, Purfeerst, Renneke, Stumpf and Pillsbury.

H. F. No. 1421: Messrs. Nelson, Willet, Penny, Tennessen and Keefe.

H. F. No. 1443: Messrs. Luther, Willet, Humphrey, Knoll and Ashbach.

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

Remaining on the Order of Business of Motions and Resolutions, Mr. Moe, R.D. moved that the Senate proceed to the order of Business of Introduction and First Reading of Senate Bills. The motion prevailed.

INTRODUCTION AND FIRST READING OF SENATE BILLS

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

Messrs. Dahl; Merriam; Peterson, R.W.; Dicklich and Mrs. Kronebusch introduced—

S.F. No. 1403: A bill for an act relating to mobile homes; requiring mobile home park owners to provide ground anchoring systems and storm shelters; authorizing the establishment of a loan program to help finance the cost of

these improvements; prescribing rules; appropriating money; amending Minnesota Statutes 1980, Sections 327.20, by adding subdivisions; 462A.05, by adding a subdivision; and 462A.21, by adding a subdivision.

Referred to the Committee on Commerce.

Mrs. Brataas, Messrs. Merriam and Ramstad introduced—

S.F. No. 1404: A bill for an act relating to crimes; authorizing counties to establish crime victim service funds and coordinating committees on victim assistance; requiring the commissioner of corrections to develop a model victim service plan; providing for a penalty assessment on convicted persons; proposing new law coded in Minnesota Statutes, Chapter 241.

Referred to the Committee on Health, Welfare and Corrections.

RECESS

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

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

MEMBERS EXCUSED

Mr. Humphrey was excused from this evening's Session.

MOTIONS AND RESOLUTIONS - CONTINUED

Mr. Chmielewski moved that S. F. No. 33 be withdrawn from the Committee on Transportation and re-referred to the Committee on Taxes and Tax Laws. The motion prevailed.

Mr. Chmielewski moved that H. F. No. 161 be withdrawn from the Committee on Transportation and re-referred to the Committee on Taxes and Tax Laws. The motion prevailed.

Mr. Chmielewski moved that S. F. No. 811 be stricken from General Orders and returned to the Committee on Veterans' Affairs. The motion prevailed.

Remaining on the Order of Business of Motions and Resolutions, Mr. Moe, R. D. moved that the Senate take up the General Orders Calendar. The motion prevailed.

GENERAL ORDERS

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

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

S. F. Nos. 1084, 1262, 1323, 1079 and H. F. Nos. 921 and 142, which the committee recommends to pass.

S. F. No. 809, which the committee recommends be returned to the Committee on Agriculture and Natural Resources.

H. F. No. 126, which the committee recommends to pass with the following amendment offered by Mr. Menning:

Amend H. F. No. 126, as amended pursuant to Rule 49, adopted by the Senate April 30, 1981, as follows:

(The text of the amended House File is identical to S. F. No. 415.)

Page 2, after line 14, insert:

“Sec. 2. [MURRAY COUNTY DITCHES.]

Pursuant to agreement under Minnesota Statutes, Section 471.59, Murray County may delegate to the city of Slayton all or part of its powers and duties relating to all or part of any county ditch. The city may exercise any of the delegated powers within or outside the city in the same manner as the county.

Sec. 3. [EFFECTIVE DATE.]

Section 2 is effective the day after compliance with Minnesota Statutes, Section 645.021, Subdivision 3, by the governing bodies of Murray County and the city of Slayton.”

Amend the title as follows:

Page 1, line 5, after the semicolon, insert “permitting Murray County and the city of Slayton to enter an agreement for the administration of county ditches;”

The motion prevailed. So the amendment was adopted.

S. F. No. 728, which the committee reports progress, subject to the following motion:

Mr. Kroening moved to amend S.F. No. 728 as follows:

Delete everything after the enacting clause and insert:

“Section 1. [BIG FALLS, TOWN OF; DETACHED BANKING FACILITY; AUTHORIZATION.]

With the prior approval of the commissioner of banks, any bank doing business within 35 miles of the town of Big Falls in Koochiching County may establish and maintain not more than one detached facility. Any bank desiring to establish a detached facility shall follow the approval procedure prescribed in Minnesota Statutes, Section 47.54. The establishment of a detached facility in the town of Big Falls shall be subject to the provisions of Minnesota Stat 0113 utes, Sections 47.51 to 47.57 except insofar as inconsistent with this section.

Sec. 2. [LOCAL APPROVAL.]

This act takes effect when approved by the town board of the town of Big Falls and upon compliance with Minnesota Statutes, Section 645.021.”

Amend the title as follows:

Delete lines 2 to 5 and insert:

“relating to the city of Big Falls; authorizing the establishment of detached banking facilities.”

The motion prevailed. So the amendment was adopted.

S. F. No. 728 was then progressed.

H.F. No. 217, which the committee recommends to pass, subject to the following motion:

Mr. Berg moved that the amendment made to H.F. No. 217 by the Committee on Rules and Administration in the report adopted May 1, 1981, pursuant to Rule 49, be stricken. The motion prevailed. So the amendment was stricken.

H. F. No. 473, which the committee recommends to pass after the following motions:

Mr. Dahl moved to amend H.F. No. 473, the unofficial engrossment, as follows:

Page 1, line 14, delete "16 U.S.C. Section 2601" and insert "Pub.L. 95-617, 92 Stat. 3117,"

Page 1, line 15, delete "et seq."

Page 1, line 16, delete "Section" and insert "Part"

Page 1, line 16, delete "et seq." and insert a comma

The motion prevailed. So the amendment was adopted.

Mr. Dahl then moved to amend H. F. No. 473, the unofficial engrossment, as follows:

Page 1, line 23, before "energy" insert "net"

Page 1, line 25, before "input" insert "net"

Page 2, line 6, before "input" insert "net"

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 39 and nays 13, as follows:

Those who voted in the affirmative were:

Berglin	Hughes	Lindgren	Peterson, C.C.	Stern
Bertram	Johnson	Luther	Peterson, R.W.	Stokowski
Dahl	Knoll	Menning	Petty	Stumpf
Davies	Kroening	Merriam	Purfeerst	Taylor
Davis	Kronebusch	Moe, R. D.	Schmitz	Vega
Dicklich	Langseth	Olhoft	Setzepfand	Waldorf
Dieterich	Lantry	Pehler	Sikorski	Willet
Hanson	Lessard	Penny	Spear	

Those who voted in the negative were:

Belanger	Chmielewski	Frederickson	Renneke	Tennessen
Benson	Engler	Keeffe	Rued	
Bernhagen	Frank	Peterson, D.L.	Sieloff	

The motion prevailed. So the amendment was adopted.

Mr. Frederickson moved to amend H. F. No. 473, the unofficial engrossment, as follows:

Page 2, line 2, after the period, insert "The commission shall set these rates based on avoided costs as defined in 18 CFR Section 292.101(b)(6) and taking

into account the factors listed in 18 CFR Section 292.304(e)."

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 16 and nays 34, as follows:

Those who voted in the affirmative were:

Bang	Engler	Frederickson	Peterson, D.L.	Renneke
Belanger	Frank	Keefe	Pillsbury	Rued
Benson	Frederick	Knutson	Ramstad	Ulland
Berglin				

Those who voted in the negative were:

Chmielewski	Hughes	Luther	Peterson, C.C.	Spear
Dahl	Johnson	Menning	Peterson, R.W.	Stern
Davies	Kroening	Moe, R. D.	Petty	Stokowski
Davis	Langseth	Nelson	Purfeerst	Vega
Dicklich	Lantry	Olhoft	Schmitz	Waldorf
Dieterich	Lessard	Pehler	Setzepfandt	Willet
Hanson	Lindgren	Penny	Sikorski	

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

The question was taken on the recommendation to pass H. F. No. 473.

The roll was called, and there were yeas 44 and nays 15, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Belanger	Bernhagen	Frederick	Knutson	Renneke
Benson	Brataas	Frederickson	Peterson, D.L.	Rued
Berg	Engler	Keefe	Pillsbury	Setzepfandt

The motion prevailed. So H. F. No. 473 was recommended to pass.

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

Page 17, after line 16, insert:

"Sec. 20. Minnesota Statutes 1980, Section 169.81, Subdivision 10, is amended to read:

Subd. 10. [PICKUP TRUCKS; LIMITATION ON DRAWING TRAILERS.] Notwithstanding any other provision of this section or any other law to the contrary, a pickup truck used primarily in the production or transportation of liquid fertilizer, anhydrous ammonia, or any agricultural commodity as defined in section 17.53, subdivision 2, may draw not to exceed two empty trailers when the resulting combination does not exceed the size and weight limitations otherwise prescribed by law. A pickup truck when drawing two

trailers shall not be operated on the highways of this state beyond a 35 mile radius of the home post office of the owner of the pickup truck nor at a speed exceeding 35 miles per hour."

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 3, after the first semicolon, insert "regulating the transportation of certain fertilizer materials;"

Page 1, line 9, after the second semicolon, insert "169.81, Subdivision 10;"

The motion prevailed. So the amendment was adopted.

H. F. No. 182, which the committee recommends to pass after the following motions:

Mr. Spear moved to amend H. F. No. 182, the unofficial engrossment, as follows:

Page 10, line 11, after the period, insert "*The lien may be taken only for the amount of the loan exceeding \$3,000 and shall be extinguished when the amount of the principal balance outstanding on the loan is \$3,000 or less.*"

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 16 and nays 36, as follows:

Those who voted in the affirmative were:

Berglin	Hughes	Langseth	Sikorski	Stumpf
Dahl	Johnson	Luther	Spear	Vega
Dieterich	Kroening	Moe, R. D.	Stokowski	Waldorf
Frank				

Those who voted in the negative were:

Bang	Davies	Kronebusch	Peterson, D.L.	Stern
Belanger	Davis	Lantry	Peterson, R.W.	Taylor
Benson	Engler	Lessard	Petty	Tennessen
Berg	Frederick	Merriam	Purfeerst	Ulland
Bernhagen	Frederickson	Nelson	Ramstad	
Bertram	Humphrey	Olhoft	Renneke	
Brataas	Keefe	Pehler	Rued	
Chmielewski	Knutson	Peterson, C.C.	Sieloff	

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

Mr. Luther moved to amend H.F. No. 182, the unofficial engrossment, as follows:

Page 15, line 18, before the colon, insert " : provided the costs do not exceed one percent of the principal amount or \$250, whichever is greater"

The motion prevailed. So the amendment was adopted.

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

MOTIONS AND RESOLUTIONS - CONTINUED

Mr. Moe, R.D. moved that the Senate do now adjourn until 1:00 p.m., Wednesday, May 6, 1981. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate