

FIFTY-FIRST DAY

St. Paul, Minnesota, Monday, May 11, 1981

The Senate met at 11:00 a.m. and was called to order by the President.

Prayer was offered by the Chaplain, Rev. Roger Carroll.

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.

MEMBERS EXCUSED

Mr. Dieterich was excused from the Session of today from 11:45 a.m. to 1:00 p.m. Mr. Stern was excused from the Session of today from 12:30 to 2:00 p.m. Mr. Peterson, D. L. was excused from the Session of today from 11:00 a.m. to 3:00 p.m..

EXECUTIVE AND OFFICIAL COMMUNICATIONS

May 7, 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, Senate File No. 1047.

Sincerely yours,

Albert H. Quie, Governor

May 7, 1981

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

The Honorable Jack Davies
President of the Senate

I have the honor to inform you that the following enrolled Acts of the 1981 Session of the State Legislature have been received from the Office of the Governor and are deposited in the Office of the Secretary of State for preservation, pursuant to the State Constitution, Article IV, Section 23:

S.F. No.	H.F. No.	Session Laws Chapter No.	Date Approved 1981	Date Filed 1981
1047		107	May 7	May 7
	13	108	May 7	May 7
	90	109	May 7	May 7
	150	110	May 7	May 7
	222	111	May 7	May 7
	272	112	May 7	May 7
	467	113	May 7	May 7
	574	114	May 7	May 7
	937	115	May 7	May 7
	972	116	May 7	May 7

Sincerely,

Joan Anderson Growe
Secretary of State

May 8, 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. 149, 168, 562, 671 and 825.

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 House Files, herewith transmitted: H. F. Nos. 477, 493, 1474, 1475 and 900.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted May 8, 1981

FIRST READING OF HOUSE BILLS

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

H. F. No. 477: A bill for an act relating to education; changing a reference to the provisions governing the student loan program; including parents within the definition of eligible student for guaranteed student loan purposes; increasing the bonding authority of the higher education coordinating board; expanding the career guidance program; providing exclusive property rights in certain records; providing for certification of status of tuition subsidy recipients; amending Minnesota Statutes 1980, Sections 136A.141; 136A.15, Subdivision 7; 136A.16, Subdivisions 3 and 4; 136A.17, Subdivisions 1, 4, and 10; 136A.171; 136A.85; 136A.86, Subdivisions 2, 3, and by adding a subdivision.

Referred to the Committee on Rules and Administration for comparison with S. F. No. 301, now on General Orders.

H. F. No. 493: A bill for an act relating to energy; authorizing the Minnesota energy agency to administer a program of loans to municipalities for establishing and improving district heating systems; authorizing the issuance of state bonds pursuant to Article XI of the Minnesota constitution; appropriating money; amending Minnesota Statutes 1980, Sections 412.321, Subdivision 1; 412.351; 412.361, Subdivision 3; 429.021, Subdivision 1; and 474.02, Subdivision 1; proposing new law coded in Minnesota Statutes, Chapters 16, 116H, 216B, 465, and 475.

Referred to the Committee on Finance.

H. F. No. 1474: A bill for an act relating to public improvements; authorizing the acquisition and betterment of public land and buildings and other public improvements of a capital nature with certain conditions; authorizing issuance of state bonds; appropriating money; proposing new law coded in Minnesota Statutes, Chapter 121.

Laid on the table.

H. F. No. 1475: A bill for an act relating to public improvements; authorizing the acquisition and betterment of public land and buildings and other public improvements of a capital nature with certain conditions; authorizing issuance of state bonds; appropriating money; amending Minnesota Statutes 1980, Section 116.18, Subdivisions 1 and 4.

Laid on the table.

H. F. No. 900: A bill for an act relating to open space and recreation; authorizing the issuance of state bonds and expenditure of the proceeds for the acquisition and betterment of regional recreation open space lands by the metropolitan council and metropolitan area local governmental units and for the acquisition and betterment of state parks, trails, forest, fish and wildlife management, scientific and natural areas, water accesses, wild, scenic and recreational rivers, and canoe and boating routes by the commissioner of natural resources; changing the terms of certain grants administered by the state planning agency; appropriating money; amending Minnesota Statutes 1980, Section 4.36, Subdivision 2; repealing Laws 1979, Chapter 301, Section 6, Subdivision 1.

Referred to the Committee on Finance.

REPORTS OF COMMITTEES

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

adopted. The motion prevailed.

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

H. F. Nos. 1022 and 1163 for comparison with companion Senate Files, reports the following House Files were found identical and recommends the House Files be given their second reading and substituted for their companion Senate Files as follows:

GENERAL ORDERS		CONSENT CALENDAR		CALENDAR	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
1163	746			1022	855

and that the above Senate Files be indefinitely postponed.

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

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

H. F. Nos. 284, 184, 986, 1048 and 1051 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.
184	76			284	287
986	953				
1048	1252				
1051	1317				

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H. F. No. 284 be amended as follows:

Page 1, line 19, delete "*Minnesota Statutes*,"

Page 1, line 21, delete "*an unemancipated minor*" and insert "*a minor woman who is unmarried and is living with her parent*"

Page 1, line 26, delete "*(a)*" and insert "*If the pregnant woman is unmarried and is living with her parent*,"

Page 2, line 1, before "*delivered*" insert "*shall be*"

Page 2, line 3, delete "*(b)*" and before "*delivery*" insert "*personal*" and delete "*clause (a)*" and insert "*this subdivision*"

Page 2, line 6, delete "*which means*" and insert "*so that the*"

Page 2, line 7, delete "*can*" and insert "*shall*" and delete "*Time of*"

Page 2, delete lines 8 to 10

Page 2, after line 10, insert

"*After mailing, time of delivery shall be deemed to occur at 12 o'clock noon*"

on the next day on which regular mail delivery takes place."

Page 2, line 11, delete ", ABORTION; DEFINITIONS" and insert "; DEFINITION"

Page 2, line 16, after "conservator" insert a comma

Page 2, line 20, after "fetus" insert a comma

Page 2, line 27, delete "to provide" and insert "for providing"

Page 3, line 1, delete "shall be" and insert "is"

Page 3, lines 1 and 2, delete "shall be grounds" and insert "is ground"

Page 3, lines 3 and 4, delete "under this section" and insert "for failure to deliver required notice"

Page 3, line 4, delete "by"

Page 3, line 5, after "relied" insert "in good faith"

Page 3, line 9, delete the comma

Page 3, line 11, delete "ever"

Page 3, line 13, before "subdivision" insert "this"

Page 3, line 13, delete "2" and delete "as though the following" and insert a period after "enforced"

Page 3, delete line 14

Page 3, line 15, delete "subdivision; provided, however, that" and delete "such temporary or" and insert "the"

Page 3, line 16, delete "permanent"

Page 3, line 16, delete "ever"

Page 3, line 18, delete everything after "shall" and insert "be enforced and this subdivision shall not be enforced."

Page 3, delete lines 19 to 21 and insert

"Notwithstanding the provisions of section 15.162, subdivision 4, no abortion operation shall be performed upon a minor woman who is unmarried and living with her parent or upon a woman for whom a guardian or conservator has been appointed pursuant to sections 525.54 to 525.551 because of a finding of incompetency, until at least 48 hours after written notice of the pending operation has been delivered or judicial authorization obtained in the manner specified in this subdivision.

If the pregnant woman is unmarried and is living with her parent, the notice shall either be delivered personally to her parent or be delivered to the parents' usual places of abode and left with a person of suitable age and discretion residing therein other than the pregnant woman.

In lieu of the personal delivery required by this subdivision notice may be made by certified mail receipted for by the persons specified for delivery. After mailing, time of delivery shall be deemed to occur at 12 o'clock noon on the next day on which regular mail delivery takes place."

Page 3, line 22, delete "(c)" and delete "such a" and insert "the"

Page 3, line 24, delete "*any*" and insert "*a*"

Page 3, line 25, delete the comma after "*petition*"

Page 3, line 26, delete "*said*" and insert "*the*"

Page 3, line 28, delete "*said*" and insert "*the*"

Page 3, line 31, delete "*the*"

Page 3, line 32, delete "*parents*" and insert "*parent*"

Page 3, line 33, delete "*and*" and insert "*. The judge*"

Page 3, line 34, delete "*such*" and delete "*said*" and insert "*the*"

Page 3, line 36, delete "*thereby*" and insert "*by the authorization*"

Page 4, line 1, delete "*Such a*" and insert "*The*"

Page 4, line 7, delete "*such*"

Page 4, line 11, delete "*in writing*" and insert "*written,*"

Page 4, line 13, delete "*including*" and insert "*that includes*"

Page 4, line 14, delete "*own*"

Page 4, line 16, delete "*such*"

Page 4, line 18, delete "*shall not be*" and insert "*is not*"

Page 4, line 19, after "*required*" insert "*under this section*" and delete "*such*"

Page 4, line 21, delete "*such*" and insert "*bringing*"

Page 4, line 23, delete "*of the same*" and delete "*afforded such*" and insert "*available to*"

Page 4, delete lines 25 to 32

And when so amended H. F. No. 284 will be identical to S.F. No. 287, and further recommends that H. F. No. 284 be given its second reading and substituted for S. F. No. 287, and that the Senate File be indefinitely postponed.

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H. F. No. 184 be amended as follows:

Page 1, line 13, delete "*OR*" and strike "*SIGNAL DISTRIBUTION*"

Page 1, line 23, delete "*or cable television*"

Page 1, line 26, delete "*and programs*"

Page 1, line 27, reinstate the stricken "*This*" and delete "*The*"

Page 2, line 13, before the period insert "*and may issue revenue obligations without limitation for acquisition or betterment of all or part of a system or interest therein*"

Amend the title as follows:

Page 1, line 3, delete "*or signal distribution*"

And when so amended H. F. No. 184 will be identical to S.F. No. 76, and

further recommends that H. F. No. 184 be given its second reading and substituted for S. F. No. 76, and that the Senate File be indefinitely postponed.

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H. F. No. 986 be amended as follows:

Amend the title as follows:

Page 1, line 23, delete “, Subdivisions 1 and 2”

And when so amended H. F. No. 986 will be identical to S. F. No. 953, and further recommends that H. F. No. 986 be given its second reading and substituted for S. F. No. 953, and that the Senate File be indefinitely postponed.

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H. F. No. 1048 be amended as follows:

Page 2, line 8, strike “(1)” and insert “(a)”

Page 2, line 9, strike “(a)” and insert “(1)”

Page 2, line 11, strike “(b)” and insert “(2)”

Page 2, line 12, strike “(c)” and insert “(3)”

Page 2, line 13, strike “(d)” and insert “(4)”

Page 2, line 14, strike “(2)” and insert “(b)”

Page 2, line 16, strike “(a)” and insert “(1)”

Page 2, line 18, strike “(b)” and insert “(2)”

Page 2, line 19, strike “(c)” and insert “(3)”

Page 2, line 21, strike “(d)” and insert “(4)”

Page 2, line 22, strike “(e)” and insert “(5)”

Page 2, line 24, strike “(3)” and insert “(c)”

Page 2, line 25, strike “(a)” and insert “(1)”

Page 2, line 28, strike “(b)” and insert “(2)”

Page 2, line 30, strike “(c)” and insert “(3)”

Page 2, line 32, strike “(d)” and insert “(4)”

Page 3, line 3, strike “(e)” and insert “(5)”

Page 3, line 11, strike “(f)” and insert “(6)”

Page 3, line 14, strike “(g)” and insert “(7)”

Page 3, line 16, strike “(h)” and insert “(8)”

Page 3, line 21, strike “(i)” and insert “(9)”

Page 3, line 30, delete “(1)” and insert “(a)”

Page 4, line 7, delete “(a)” and insert “(1)”

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

Page 5, line 5, delete “(2)” and insert “(b)”

Page 5, line 17, delete "(3)" and insert "(c)", delete "(a)" and insert "(1)".

Page 5, line 18, delete "August" and insert "June"

Page 5, line 21, delete "August" and insert "June"

Page 5, line 22, delete "(b)" and insert "(2)"

Page 5, line 24, delete "August" and insert "June"

Page 5, line 27, delete "August" and insert "June"

Page 5, line 30, delete "(1)" and insert "(a)"

Page 5, line 35, after "1," insert "paragraph (c).", after "clause" delete "(3)(h)" and insert "(8)"

Page 6, line 7, after "1," insert "paragraph (c)."

Page 6, line 8, delete "(3)(i)" and insert "(9)"

Page 6, line 17, delete "(2)" and insert "(b)"

Page 6, line 20, delete "(a)" and insert "(1)"

Page 6, line 36, delete "(b)" and insert "(2)"

Page 7, line 5, delete "(c)" and insert "(3)"

Page 7, line 11, delete "(d)" and insert "(4)"

Page 7, line 17, after "made." insert "After January 1, 1982, the program of studies or study course shall have been approved by the commissioner in order to qualify under this clause."

Page 7, line 27, delete "(e)" and insert "(5)"

Page 7, line 33, delete "(f)" and insert "(6)"

Page 7, line 36, delete "(g)" and insert "(7)"

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

Page 8, line 10, delete "(a)" and insert "(1)"

Page 8, line 15, delete "(b)" and insert "(2)"

Page 8, line 30, after "1," insert "paragraph (c).", after "clause" delete "(3)(d)" and insert "(4)"

Page 8, line 34, delete "(c)" and insert "(3)"

Page 9, line 2, delete "(4)" and insert "(d)", delete "(a)" and insert "(1)"

Page 9, line 10, delete "(b)" and insert "(2)"

Page 9, line 13, delete "(c)" and insert "(3)"

Page 9, line 18, delete "(5)" and insert "(e)"

Page 9, line 26, after "in" insert "paragraph (c).", and after "(3)" delete "(c)"

Page 9, line 29, delete "(6)" and insert "(f)"

Page 10, line 3, after "1," insert "paragraph (c).", after "clause" delete

“(3)(i)” and insert “(9)”

Page 10, line 5, delete “(7)” and insert “(g)”

Page 10, line 12, after “1,” insert “*paragraph (c),*”, after “*clause*” delete “(3)(g)” and insert “(7)”

Page 10, line 16, delete “(8)” and insert “(h)”

Page 10, line 18, delete “(a)” and insert “(1)”

Page 10, line 20, delete “(b)” and insert “(2)”

Page 10, line 22, delete “(c)” and insert “(3)”

Page 10, line 27, delete “(d)” and insert “(4)”

Page 11, line 1, delete “(e)” and insert “(5)”

Page 11, line 4, delete “(f)” and insert “(6)”

Page 16, lines 11 and 12, delete “*Within ten days after the agent receives notice of revocation,*”

Page 17, line 20, delete “(1)” and insert “(a)”

Page 17, line 22, delete “(a)” and insert “(1)”

Page 17, line 23, delete “(b)” and insert “(2)”

Page 17, line 24, delete “(c)” and insert “(3)”

Page 17, line 25, delete “(d)” and insert “(4)”

Page 17, delete “(2)” and insert “(b)”

Page 19, line 1, delete “*clause*” and insert “*paragraph*”

Page 22, line 1, strike “(1)” and insert “(a)”

Page 22, line 18, strike “(2)” and insert “(b)”, strike “(a)” and insert “(1)”

Page 22, line 22, strike “(b)” and insert “(2)”

Page 22, line 30, strike “*clause (1)*” and insert “*paragraph (a)*”

Page 22, line 31, delete “(c)” and insert “(3)”

Page 23, line 1, strike “(3)” and insert “(c)”

And when so amended H. F. No. 1048 will be identical to S. F. No. 1252, and further recommends that H. F. No. 1048 be given its second reading and substituted for S. F. No. 1252, and that the Senate File be indefinitely postponed.

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H. F. No. 1051 be amended as follows:

Page 5, line 15, delete everything after the period

Page 5, delete lines 16 to 18

Page 7, delete lines 8 to 11

Page 7, line 12, delete “12” and insert “11”

Amend the title as follows:

Page 1, lines 7 and 8, delete "establishing a moratorium on certain uranium drilling;"

And when so amended H. F. No. 1051 will be identical to S.F.No. 1317, and further recommends that H. F. No. 1051 be given its second reading and substituted for S. F. No. 1317, 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.

SECOND READING OF HOUSE BILLS

H. F. Nos. 1022, 1163, 284, 184, 986, 1048 and 1051 were read the second time.

MOTIONS AND RESOLUTIONS

Mr. Merriam moved that the name of Mr. Stern be added as co-author to S. F. No. 748. The motion prevailed.

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.

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

CONSENT CALENDAR

S. F. No. 395: A bill for an act relating to taxation; extending the period for filing gravel tax reports and sending notice of overdue returns; amending Minnesota Statutes 1980, Section 298.75, Subdivisions 2 and 3.

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

The question was taken on the passage of the bill.

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

Those who voted in the affirmative were:

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

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 Calendar. The motion prevailed.

CALENDAR

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

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 62 and nays 1, as follows:

Those who voted in the affirmative were:

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

Mr. Waldorf voted in the negative.

So the bill passed and its title was agreed to.

MOTIONS AND RESOLUTIONS - CONTINUED

Mr. Nelson moved that S. F. No. 99 be taken from the table. The motion prevailed.

CONCURRENCE AND REPASSAGE

Mr. Nelson moved that the Senate concur in the amendments by the House to S. F. No. 99 and that the bill be placed on its repassage as amended. The motion prevailed.

S. F. No. 99: A bill for an act relating to elections; changing certain procedures and requirements relating to elections; amending Minnesota Statutes 1980, Sections 208.03; 208.05; 201.061, as amended; 206.20, Subdivision 2, as amended; Laws 1981, Chapter 29, Article IV, Section 28; Article V, Sections 10, 24, and 26; Article VI, Sections 15 and 16; repealing Minnesota Statutes 1980, Section 201.18, as amended.

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	Berg	Brataas	Davis	Frank
Bang	Berglin	Chmielewski	Dicklich	Frederick
Belanger	Bernhagen	Dahl	Dieterich	Frederickson
Benson	Bertram	Davies	Engler	Hanson

Hughes	Lantry	Olhoft	Schmitz	Taylor
Humphrey	Lessard	Pehler	Setzepfandt	Tennessen
Johnson	Lindgren	Penny	Sieloff	Ulland
Keefe	Luther	Peterson, C. C.	Sikorski	Vega
Knoll	Menning	Petty	Solon	Waldorf
Knutson	Merriam	Pillsbury	Spear	Wegener
Kroening	Moe, D. M.	Ramstad	Stern	Willet
Kronebusch	Moe, R. D.	Renneke	Stokowski	
Langseth	Nelson	Rued	Stumpf	

So the bill, as amended, was repassed 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 Mr. Stumpf in the chair.

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

S. F. Nos. 120, 132, 315, 1152, 1205, 571 and H. F. Nos. 1301, 1044, 409, 696 and 161, which the committee recommends to pass.

S. F. No. 1135, which the committee recommends be returned to the Committee on Education.

S. F. No. 311, which the committee reports progress, after the following motion:

The question was taken on the recommendation to pass S. F. No. 311.

The roll was called, and there were yeas 23 and nays 33, as follows:

Those who voted in the affirmative were:

Berglin	Hughes	Lantry	Peterson, R. W.	Stumpf
Dahl	Johnson	Luther	Petty	Tennessen
Davies	Keefe	Merriam	Sikorski	Ulland
Dicklich	Knoll	Moe, D. M.	Spear	
Dieterich	Kroening	Pehler	Stokowski	

Those who voted in the negative were:

Belanger	Davis	Langseth	Peterson, C. C.	Sieloff
Benson	Engler	Lessard	Pillsbury	Taylor
Berg	Frank	Menning	Ramstad	Vega
Bernhagen	Frederick	Moe, R. D.	Renneke	Wegener
Bertram	Frederickson	Nelson	Rued	Willet
Brataas	Hanson	Olhoft	Schmitz	
Chmielewski	Kronebusch	Penny	Setzepfandt	

The motion did not prevail. S. F. No. 311 was then progressed.

H.F. No. 697, which the committee recommends to pass, subject to the following motions:

Mr. Sieloff moved to amend H.F. No. 697, 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. 733.)

Page 4, line 7, delete "1977" and insert "1981"

The motion prevailed. So the amendment was adopted.

The question was taken on the recommendation to pass H. F. No. 697.

The roll was called, and there were yeas 31 and nays 11, as follows:

Those who voted in the affirmative were:

Benson	Engler	Langseth	Peterson, C. C.	Taylor
Berg	Frank	Lantry	Peterson, R. W.	Waldorf
Bernhagen	Frederickson	Lessard	Renneke	Wegener
Bertram	Hanson	Luther	Schmitz	
Dahl	Johnson	Menning	Solon	
Davies	Kroening	Merriam	Stokowski	
Davis	Kronebusch	Pehler	Stumpf	

Those who voted in the negative were:

Belanger	Keefe	Petty	Spear	Ulland
Berglin	Knoll	Sieloff	Tennessee	Vega
Dieterich				

The motion prevailed. So H. F. No. 697 was recommended to pass.

H. F. No. 616, which the committee recommends to pass with the following amendment offered by Mr. Davies:

Delete everything after the enacting clause and insert:

"Section 1. [325G.29] [CITATION.]

Sections 1 to 8 may be cited as the "Plain Language Contract Act".

Sec. 2. [325G.30] [DEFINITIONS.]

Subdivision 1. [TERMS.] As used in sections 2 to 8, the terms defined in this section have the meanings given them.

Subd. 2. [CONSUMER.] "Consumer" means any individual who, primarily for personal, family or household purposes: (1) gives consideration for an interest in any services or personal property, including money; (2) transfers or authorizes a security interest on any personal property; or (3) leases residential premises for a term not exceeding three years.

Subd. 3. [CONSUMER CONTRACT.] "Consumer contract" means any written contract with a consumer except: (1) a contract where the price, excluding interest or finance charges, is more than \$50,000; (2) a contract through which a consumer obtains money or credit to be used to purchase or refinance an interest in realty; (3) a contract in which the sale of personal property is merely incidental to the sale of an interest in realty.

Sec. 3. [325G.31] [PLAIN LANGUAGE REQUIRED.]

Except as provided in section 4, every consumer contract shall be written in a clear and coherent manner using words with common and everyday meanings and shall be appropriately divided and captioned by its various sections.

Sec. 4. [325G.32] [EXCEPTIONS.]

Subdivision 1. [OTHER STATUTES OR REGULATIONS.] Section 3 does not apply to any consumer contract for which a federal or state statute, rule or

regulation prescribes standards of readability applicable to the entire contract. Section 3 does not apply to particular words, phrases, provisions or forms of agreement specifically required, recommended or endorsed by a state or federal statute, rule or regulation.

Subd. 2. [CUSTOMARILY USED TECHNICAL TERMS.] A consumer contract may include technical terms to describe the services or property which are the subject of the contract, if the terms are customarily used by consumers in connection with the services or property.

Sec. 5. [325G.33] [REMEDIES.]

Subdivision 1. [ENFORCEMENT AUTHORITY.] Any violation of section 3 is a violation of a law under section 8.31, subdivision 1. The remedies provided in section 8.31, subdivisions 3 and 3a, are limited as provided in section 6.

Subd. 2. [REFORMATION.] In addition to the remedies provided in section 8.31, a court reviewing a consumer contract may reform or limit a provision so as to avoid an unfair result if it finds that:

- (1) a material provision of the contract violates section 3;*
- (2) the violation caused the consumer to be substantially confused about any of the rights, obligations or remedies of the contract; and*
- (3) the violation has caused or is likely to cause financial detriment to the consumer.*

If the court reforms or limits a provision of a consumer contract, the court shall also make orders necessary to avoid unjust enrichment. Bringing a claim for relief pursuant to this subdivision does not entitle a consumer to withhold performance of an otherwise valid contractual obligation. No relief shall be granted pursuant to this subdivision unless the claim is brought before the obligations of the contract have been fully performed.

Sec. 6. [325G.34] [LIMITS ON REMEDIES.]

Subdivision 1. [PENALTIES.] In any proceeding in which civil penalties are claimed from a party for a violation of section 3, it is a defense to the claim that the party made a good faith and reasonable effort to comply with section 3.

Subd. 2. [ATTORNEY'S FEES.] A party who has made a good faith and reasonable effort to comply with section 3 shall not be assessed attorney's fees or costs of investigation in an action for violating section 3.

Subd. 3. [CLASS ACTION ATTORNEY'S FEES.] In any class action or series of class actions which arise from the use by a person of a particular consumer contract found to violate section 3, the amount of attorney's fees and costs of investigation assessed against that person and in favor of the consumer class or classes may not exceed \$10,000.

Subd. 4. [LIMITS ON CONSUMER ACTIONS.] Violation of section 3 is not a defense to a claim arising from a consumer's breach of a consumer contract or to an action for unlawful detainer. A consumer may recover actual damages caused by a violation of section 3 only if the violation caused the consumer to be substantially confused about the rights, obligations or remedies of the contract.

Subd. 5. [STATUTE OF LIMITATIONS.] Any claim that a consumer contract violates section 3 must be raised within six years of the date the contract is executed by the consumer.

Sec. 7. [325G.35] [REVIEW BY THE ATTORNEY GENERAL.]

Subdivision 1. [PROCESS OF REVIEW.] Any seller, creditor or lessor may submit a consumer contract to the attorney general for review as to whether the contract complies with the requirements of section 3. After reviewing the contract the attorney general shall: (1) certify that the contract complies with section 3; (2) decline to certify that the contract complies with section 3 and note his objections to the contractual language; (3) decline to review the contract and refer the party submitting the contract to other previously certified contracts of the same type; (4) decline to review the contract because the contract's compliance with section 3 is the subject of pending litigation; or (5) decline to review the contract because the contract is not subject to section 3.

Subd. 2. [PROCESS NOT REVIEWABLE.] Actions of the attorney general pursuant to subdivision 1 are not subject to Minnesota Statutes, Chapter 15, and are not appealable.

Subd. 3. [LIMITED EFFECT OF CERTIFICATION.] Any consumer contract certified pursuant to subdivision 1 is deemed to comply with section 3. Certification of a consumer contract pursuant to subdivision 1 is not otherwise an approval of the contract's legality or legal effect.

Subd. 4. [REVIEW NOT REQUIRED.] Failure to submit a contract to the attorney general for review pursuant to subdivision 1 does not show a lack of good faith nor does it raise a presumption that the contract violates section 3. If pursuant to subdivision 1 the attorney general refers a party to a previously certified contract, that the party chooses not to use the contract does not show a lack of good faith nor does it raise a presumption that a contract used by that party violated section 3.

Subd. 5. [FEE FOR REVIEW.] The attorney general may charge a fee, not to exceed \$50, for the costs of reviewing a consumer contract pursuant to subdivision 1.

Sec. 8. [325G.36] [WAIVERS VOID.]

Any provision of a consumer contract which waives or attempts to waive any provision of sections 1 to 8 is void.

Sec. 9. [EFFECTIVE DATE.]

Sections 1 to 6 and 8 take effect on July 1, 1983. Section 7 takes effect the day following final enactment. Sections 1 to 8 do not affect any consumer contract executed before July 1, 1983. A previously existing consumer contract renewed after July 1, 1983, is subject to sections 1 to 8. No provision for renewal of a consumer contract is invalid merely because compliance with sections 1 to 8 changes the form of the renewal agreement. For the purposes of this section periodic tenancies renew at the commencement of each rental period."

The motion prevailed. So the amendment was adopted.

H. F. No. 353, which the committee recommends to pass subject to the following motions:

Mr. Luther moved to amend H. F. No. 353, the unofficial engrossment, as follows:

Page 2, line 14, delete "or"

Page 2, line 16, before the period, insert "; or (e) to any legal action brought by an owner or shareholder of a family farm"

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 19 and nays 23, as follows:

Those who voted in the affirmative were:

Belanger	Frank	Lantry	Moe, D. M.	Stumpf
Berglin	Johnson	Lindgren	Peterson, R. W.	Ulland
Dahl	Keefe	Luther	Petty	Vega
Davies	Kroening	Merriam	Stokowski	

Those who voted in the negative were:

Ashbach	Brataas	Lessard	Renneke	Stern
Benson	Davis	Menning	Rued	Taylor
Berg	Frederickson	Olhoft	Schmitz	Wegener
Bernhagen	Knutson	Penny	Setzepfandt	
Bertram	Kronebusch	Ramstad	Solon	

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

Mr. Luther then moved to amend H.F. No. 353, the unofficial engrossment, as follows:

Page 2, line 27, delete "does"

Page 2, line 28, delete "not apply" and insert "applies only"

Page 2, line 29, delete "disapproving" and insert "approving"

The motion prevailed. So the amendment was adopted.

Mr. Luther then moved to amend H.F. No. 353, the unofficial engrossment, as follows:

Page 1, line 16, before the semicolon, insert "*or an animal feedlot facility with an enclosed, slatted floor and pit having a depth of five feet or more and with a swine capacity of 600 or more animal units as defined in the rules of the pollution control agency for control of pollution from animal feedlots, or a cattle capacity of 2,500 animals or more*"

The motion prevailed. So the amendment was adopted.

Mr. Luther then moved to amend H.F. No. 353, the unofficial engrossment, as follows:

Page 1, line 25, after "persons" insert "*or spouses of persons related to each other within the third degree of kindred according to the rules of the civil law at least one of whom is*"

Page 1, line 25, delete "on the farm"

Page 1, line 26, after "farming" insert "on the farm"

The motion prevailed. So the amendment was adopted.

The question was taken on the recommendation to pass H. F. No. 353.

The roll was called, and there were yeas 32 and nays 26, as follows:

Those who voted in the affirmative were:

Ashbach	Dicklich	Moe, R. D.	Purfeerst	Ulland
Benson	Frederickson	Nelson	Renneke	Vega
Berg	Johnson	Olhoft	Rued	Wegener
Bernhagen	Kronebusch	Pehler	Schmitz	Willer
Bertram	Langseth	Penny	Setzepfandt	
Chmielewski	Lessard	Peterson, D.L.	Solon	
Davis	Menning	Pillsbury	Taylor	

Those who voted in the negative were:

Belanger	Frederick	Lindgren	Ramstad	Tennessen
Berglin	Hughes	Luther	Sikorski	Waldorf
Brataas	Keefe	Merriam	Spear	
Dahl	Knoll	Moe, D. M.	Stern	
Davies	Knutson	Peterson, R. W.	Stokowski	
Frank	Lantry	Petty	Stumpf	

The motion prevailed. So H. F. No. 353 was recommended to pass.

H. F. No. 1125, which the committee recommends to pass with the following amendment offered by Mr. Olhoft:

Page 1, before line 12, insert:

“ARTICLE I

SMALL BUSINESS FINANCE AGENCY”

Page 7, line 12, delete “act” and insert “article”

Page 7, after line 12, insert:

“ARTICLE II

BUSINESS LICENSING POLICY

Section 1. Minnesota Statutes 1980, Section 3.965, is amended by adding a subdivision to read:

Subd. 5. [BUSINESS LICENSING RULES.] The commission may conduct the public meetings for review of rules related to business licenses as required by section 4 of this article.

Sec. 2. [362.450] [UNIFORM BUSINESS LICENSING POLICY.]

Subdivision 1. [FINDING.] The legislature finds that a uniform policy on business licenses is necessary to maintain an adequate level of protection of the public welfare while preventing business licensing from becoming overly burdensome for the citizens and businesses of Minnesota.

Subd. 2. [POLICY.] It is the policy of the state of Minnesota that to the extent practicable, when required, a business license:

(a) Should be necessary to protect the safety, health or welfare of the citizens of the state or to ensure fair competition, competency in business, responsible financial practices, or other ethical business conduct;

(b) Should not duplicate or significantly overlap any other business license;

(c) Should be issued and renewed for the longest period possible consistent

with the need to review eligibility and compliance with the terms and conditions of the license;

(d) Should contain a termination or renewal date determined by the agency to be as convenient as possible for the license holder consistent with clause (c). When an agency issues more than one license to the same business these licenses should have the same calendar renewal date; and

(e) Should involve payment of a fee in an amount no greater than specified by statute. If a fee is authorized by statute and set by rule, the fee shall be no greater than necessary to recover the administrative cost of issuing or renewing the license or enforcing its terms and conditions. The fees and conditions may be different for different classes of businesses and for initial issuance and subsequent renewals.

Sec. 3. [362.451] [DEFINITIONS.]

Subdivision 1. [APPLICATION.] For the purposes of sections 2 to 5 of this article, the terms defined in this section have the meanings given them.

Subd. 2. [BUSINESS LICENSE.] "Business license" or "license" means any permit, registration, certification, or other form of approval authorized by statute or rule to be issued by any agency or instrumentality of the state of Minnesota as a condition of doing business in Minnesota. The term also includes, when applicable, the substantive and procedural criteria governing the qualifications for, and issuance and maintenance of, a business license.

Subd. 2a. [LICENSE; EXCEPTIONS.] "Business license" or "license" does not include the following:

(1) Any occupational license issued by a licensing board listed in section 214.01 or any occupational registration issued by the commissioner of health pursuant to section 214.13;

(2) Any license issued by a county, home rule charter city, statutory city, township or other political subdivision;

(3) Any license required to practice the following occupation regulated by the following sections:

(a) Abstracters regulated pursuant to chapter 386;

(b) Accountants regulated pursuant to chapter 326;

(c) Adjusters regulated pursuant to chapter 72B;

(d) Architects regulated pursuant to chapter 326;

(e) Assessors regulated pursuant to chapter 270;

(f) Attorneys regulated pursuant to chapter 481;

(g) Auctioneers regulated pursuant to chapter 330;

(h) Barbers regulated pursuant to chapter 154;

(i) Beauticians regulated pursuant to chapter 155;

(j) Boiler operators regulated pursuant to chapter 183;

(k) Chiropractors regulated pursuant to chapter 148;

(l) Cosmetologists regulated pursuant to chapter 155;

- (m) Dentists and dental hygienists regulated pursuant to chapter 150A;
- (n) Detectives regulated pursuant to chapter 326;
- (o) Electricians regulated pursuant to chapter 326;
- (p) Embalmers regulated pursuant to chapter 149;
- (q) Engineers regulated pursuant to chapter 326;
- (r) Insurance brokers and salespersons regulated pursuant to chapter 60A;
- (s) Midwives regulated pursuant to chapter 148;
- (t) Morticians regulated pursuant to chapter 149;
- (u) Nursing home administrators regulated pursuant to chapter 144A;
- (v) Optometrists regulated pursuant to chapter 148;
- (w) Osteopathic physicians regulated pursuant to chapter 147;
- (x) Pharmacists regulated pursuant to chapter 151;
- (y) Physical therapists regulated pursuant to chapter 148;
- (z) Physicians and surgeons regulated pursuant to chapter 147;
- (aa) Plumbers regulated pursuant to chapter 326;
- (bb) Podiatrists regulated pursuant to chapter 153;
- (cc) Practical nurses regulated pursuant to chapter 148;
- (dd) Psychologists regulated pursuant to chapter 148;
- (ee) Real estate brokers and salespersons regulated pursuant to chapter 82;
- (ff) Registered nurses regulated pursuant to chapter 148;
- (gg) Securities brokers, dealers and agents regulated pursuant to chapter 80A;
- (hh) Steamfitters regulated pursuant to chapter 326;
- (ii) Teachers and supervisory and support personnel regulated pursuant to chapter 125;
- (jj) Veterinarians regulated pursuant to chapter 156;
- (kk) Watchmakers regulated pursuant to chapter 326;
- (ll) Water conditioning contractors and installers regulated pursuant to chapter 326;
- (mm) Water well contractors regulated pursuant to chapter 156A;
- (nn) Water and waste treatment operators regulated by chapter 115;
- (4) Any driver's license required pursuant to chapter 171;
- (5) Any aircraft license required pursuant to chapter 360;
- (6) Any watercraft license required pursuant to chapter 361;
- (7) Any license, permit, registration, certification, or other approval pertaining to a regulatory or management program related to the protection,

conservation, or use of or interference with the resources of land, air or water, which is required to be obtained from a state agency or instrumentality; and

(8) Any pollution control rule or standard established by the pollution control agency or any health rule or standard established by the commissioner of health.

Sec. 4. [362.452] [REVIEW OF EXISTING RULES FOR BUSINESS LICENSES.]

Subdivision 1. [AGENCY REVIEW.] Each agency or instrumentality of the state which is authorized or directed by statute to issue business licenses shall complete a detailed written review of its rules for business licenses to assure compliance with the policy in section 2 of this article. Each agency shall review at least one-half of its rules for business licenses by June 30, 1982, and the remaining rules for business licenses by June 30, 1983.

Subd. 2. [LEGISLATIVE COMMISSION TO REVIEW ADMINISTRATIVE RULES.] Each agency shall submit its reviews of business licensing rules to the legislative commission to review administrative rules within 30 days of their completion. The reviews shall be submitted together with any agency recommendations to amend existing business licensing rules. The commission shall conduct public meetings to afford interested persons the opportunity to comment on the business licensing rules under review. The commission shall publish notice of the meetings in the state register at least 30 days in advance of the meetings.

Subd. 3. [ADMINISTRATIVE AND LEGISLATIVE AMENDMENTS.] Each agency shall use its review and the comments received from the public at the public meetings to initiate administrative action or legislative changes to bring the business licensing rules of the agency into compliance with the policy in section 2. If, following the review process, an agency determines that the existing statutory provisions for a license are inconsistent with the policy in section 2 of this article, the agency shall present legislation at the next regular session of the legislature to correct the inconsistencies, and the existing statutory provisions shall remain in effect until the legislature enacts the changes. An agency which does not review rules for a business license pursuant to this section shall report its decision and its reasons to the appropriate standing committees of the senate and the house of representatives at the next legislative session. Any rule for a business license so reported shall cease to exist as a condition of doing business at the end of that legislative session unless legislation is passed to continue the existence of the license.

Subd. 4. [EXISTING RULES; EXCEPTION.] Notwithstanding subdivision 1, an agency is not required to review any rule for a business license promulgated on or after January 1, 1977 when the agency has followed the recommendations of a hearing examiner if a hearing examiner was employed. Rules described in this subdivision are not subject to the provisions of subdivision 3.

Sec. 5. [362.453] [NEW LICENSES.]

Any new business license authorized by the legislature or established by rule after the effective date of sections 1 to 7 of this article shall conform to the policy in section 2 of this article.

Sec. 6. [362.454] [EXISTING LICENSES.]

Nothing in sections 1 to 5 of this article shall affect the validity of duration of an existing issued license.

Sec. 7. [STAFFING.]

General administrative and support services shall be provided at no cost to the legislative commission to review administrative rules by the house of representatives and the senate on an alternating basis for one year periods. The senate shall provide these services during the fiscal year ending June 30, 1983.

Sec. 8. [EFFECTIVE DATE.]

Sections 1 to 7 of this article are effective the day following final enactment.

ARTICLE III

BUREAU OF BUSINESS LICENSES

Section 1. [362.451] [DECLARATION OF PURPOSE.]

It is the intent of the legislature that a program of business license assistance be established to provide a centralized state government office to which business license applicants may obtain comprehensive license information and assistance. The program of business assistance will be directed to commercial business undertakings, projects, and activities rather than to the issuance of licenses for individual privileges, including the occupational licenses for practicing a trade or profession, licenses for operating a motor vehicle, and amateur sporting licenses, including, but not limited to, hunting and fishing.

Sec. 2. [362.453] [DEFINITIONS.]

Subdivision 1. [TERMS.] For the purposes of sections 1 to 14 of this article, the following terms have the meanings given them.

Subd. 2. [AGENCY.] "Agency" has the meaning given it in Minnesota Statutes, Section 15.0411, Subdivision 2.

Subd. 3. [APPLICANT.] "Applicant" means a person acting on his own behalf or authorized to act on behalf of any other person for the purpose of securing a license.

Subd. 4. [BUREAU.] "Bureau" means the bureau of business licenses.

Subd. 5. [COMMISSIONER.] "Commissioner" means the commissioner of the department of economic development.

Subd. 6. [DIRECTOR.] "Director" means the director of the bureau of business licenses.

Subd. 7. [BUSINESS LICENSE.] "Business license" or "license" has the meaning given it in Article II, Section 3, Subdivision 2.

Subd. 7a. [EXCEPTION.] "Business license" or "license" does not include any license excepted in Article II, Section 3, Subdivision 2a.

Subd. 8. [PERSON.] "Person" means any individual, proprietorship, partnership, association, cooperative, corporation, nonprofit organization, state or local government agency, and any other organization required to obtain one or more licenses.

Sec. 3. [362.455] [BUREAU OF BUSINESS LICENSES.]

Subdivision 1. [APPOINTMENT OF DIRECTOR.] The head of the bureau shall be the director of business licenses. The director shall be appointed by the commissioner in accordance with Minnesota Statutes, Section 362.23, and shall be in the classified service.

Subd. 2. [DIRECTOR'S POWERS AND DUTIES.] The director shall direct the work of the bureau. The director may, with the advice and consent of the commissioner, hire employees as he may deem necessary, prescribe their duties, fix their compensation, and provide for the reimbursement of their expenses.

Subd. 3. [DIRECTOR'S REPORT.] The director shall report to the commissioner or his designee on the activities of the bureau to ensure the consistency of those activities with the overall economic development policies of the state.

Subd. 4. [COORDINATION WITH OTHER AGENCIES.] The commissioner, working with other agency heads, shall assure that the activities of the bureau are fully coordinated with related activities of other agencies.

Sec. 4. [362.457] [GENERAL FUNCTIONS; POWERS AND DUTIES.]

The bureau, by and through the director or his duly authorized employees, shall have the following functions, powers, and duties:

(a) Providing comprehensive information on licenses required for business undertakings, projects, and activities in the state and making the information available to applicants and other persons;

(b) Providing interested persons with an opinion as to the number, kind, and source of required licenses and potential difficulties in obtaining the licenses, based on a review of a potential applicant's business concept at an early stage in its planning;

(c) Developing with the assistance of other departments a master application procedure to expedite the identification and processing of these licenses;

(d) Facilitating or recommending consolidation of hearings required pursuant to licensing applications when feasible and advantageous;

(e) Encouraging and facilitating the participation of federal and local government agencies in licensing coordination;

(f) Making recommendations for eliminating, consolidating, simplifying, expediting, or otherwise improving licensing procedures affecting business undertakings; and

(g) Adopting rules, procedures, instructions, and forms as are required to carry out the functions, powers, and duties imposed upon the bureau by sections 1 to 14 of this article.

Sec. 5. [362.459] [ASSISTANCE OF OTHER AGENCIES.]

To effect the purposes of sections 1 to 14 of this article, and when requested by the commissioner, an agency shall to the extent practicable provide assistance, services, facilities, and data as will enable the bureau to carry out its functions, powers, and duties.

Sec. 6. [362.461] [COMPREHENSIVE LICENSE INFORMATION.]

Subdivision 1. [REPORTS BY AGENCIES.] Not later than 90 days from the effective date of sections 1 to 14 of this article, each agency issuing licenses for business undertakings, projects, and activities shall report to the bureau, in a form prescribed by the bureau, on each and every type of license administered or issued by the agency. Application forms, applicable agency rules, fee schedules, and the estimated time period necessary for license application consideration based on experience and statutory or regulatory requirements shall accompany each report. The reports shall be updated every two years.

Subd. 2. [REPORT SUPPLEMENTATION.] Each agency issuing licenses for business undertakings, projects, and activities shall, subsequent to its report pursuant to subdivision 1, provide the bureau with a report of any new license or modification of any existing license, or licensing procedures, together with applicable forms, rules, and information required under subdivisions 1 and 2 regarding new or modified licenses.

Subd. 3. [PREPARATION OF INFORMATION FILE.] The bureau shall prepare an information file on agency license requirements upon receipt of the agency reports and shall develop methods for its maintenance, revision, updating, and ready access.

Subd. 4. [LICENSE INFORMATION PROVIDED BY BUREAU.] The bureau shall provide comprehensive license information on the basis of information submitted in subdivisions 1 to 3. The bureau may prepare and distribute publications, guides, and other materials based upon the agency reports and the information file. These materials are designed to serve the convenience of license applicants and explain license requirements affecting business, including requirements having multiple license or multiple agency aspects.

Sec. 7. [362.463] [PREAPPLICATION CONFERENCES.]

Subdivision 1. [REQUESTS FOR CONFERENCE.] The bureau, at the request of any person, proceeding in accordance with this section, may conduct a preapplication conference, pending the formal submission of application forms, in which affected agencies shall participate to the extent practicable in order to clarify the nature and scope of their interest, to provide guidance regarding license application and review procedures, and to coordinate agency actions and data collection or submission regarding license application.

Subd. 2. [MULTIPLE LICENSES; AGENCIES TO PROVIDE REVIEW AND OPINION.] If, in the course of a preapplication conference, it becomes clear in the opinion of the director that a proposed business undertaking: (a) may require multiple licenses from the same or different state departments; (b) will take place in phases over an extended period of time; (c) will involve substantial expense for preparation of detailed plans, specifications and license applications; or (d) is of a new or unique nature, then each affected agency shall, at the request of the director to the extent practicable, provide the applicant with a written review and opinion as to all licenses which the agency would require for the proposed undertaking, the standards and conditions which would have to be met in order to obtain the licenses, timetables involved, and any properly related circumstances or findings.

Subd. 3. [WRITTEN OPINIONS; TIME LIMITS; EXTENSIONS.] Each agency participating in the review and opinion process shall render the written

opinion within a period not exceeding 60 days from the date fixed by the director. This period may be extended by the director at the request of an interested agency for the further consideration of information provided in accordance with this section. The director shall advise the person having requested the review and opinion of the extension, the reasons for it, and the revised period fixed by the director for rendering the written opinion. The person shall be entitled to confer with the bureau and with any agency having been granted an extension of time to ascertain what further information, if any, is required to facilitate the rendering of the review and opinion.

Subd. 4. [EFFECT OF REVIEW AND OPINION PROCEDURE.] A preapplication review and opinion shall not relieve the person from the responsibility of obtaining any required licenses and shall be contingent upon the submission of all detailed plans, specifications, and information required for license applications. An agency's written opinion as to required licenses shall remain in effect indefinitely for the proposed business undertaking, project, or activity as described in the applicant's submission. However, if new license requirements or related standards over which an agency has no control or discretion in establishing subsequently become effective, the new license requirements or standards shall not be considered to have been part of the preapplication review and opinion. The opinion of the agency may be modified or amended by the agency at any time and shall not prohibit the agency from requiring additional licenses as deemed necessary for the applicant.

Subd. 5. [RULES OF PROCEDURE.] The bureau shall promulgate rules for the procedures to be followed in the conduct of preapplication reviews and opinions.

Sec. 8. [362.465] [MASTER APPLICATION PROCEDURE.]

Subdivision 1. [DEVELOPMENT AND IMPLEMENTATION.] The bureau shall develop and implement a master application procedure to expedite the identification and processing of licenses for business undertakings, projects, and activities. A master application shall be made on a form prescribed by the bureau. This form shall request concise and specific information necessary to determine those licenses which are or may be required for the undertaking, project, or activity in order to insure speedy issuance of the licenses when all necessary requirements are met.

Subd. 2. [BUREAU ASSISTANCE IN PREPARING.] Use of the master application procedure shall be at the option of any person proposing a business undertaking, project, or activity. Upon request, the bureau shall assist any person in preparing a master application, describe the procedures involved, and provide other information from the comprehensive license information file as may be helpful or necessary.

Subd. 3. [RECEIPT OF APPLICATION; NOTIFICATION TO AGENCIES.] Upon receipt of a master application the bureau shall immediately notify in writing each agency having a possible interest in the proposed business undertaking, project, or activity with respect to licenses which are or may be required.

Subd. 4. [AGENCY RESPONSE.] Each agency so notified shall respond to the bureau within 20 days of receipt of the notice and shall advise the bureau whether one or more licenses under its jurisdiction are or may be required for

the business undertaking, project, or activity described in the master application. The response shall specify the licenses which in the opinion of the agency are or may be required, if any, and shall indicate the fees to be charged.

Subd. 5. [CONSEQUENCES OF NEGATIVE OR NONRESPONSES.] *Any agency so notified which responds that it does not have an interest in the license requirements of the business undertaking, project, or activity described in the master application, or which does not respond within the time period specified in subdivision 4, shall not require a license for the undertaking, project, or activity described in the master application. Except that where unusual circumstances have prevented an agency from notifying the bureau, and the agency establishes that failure to require a license would result in substantial harm to the public health or welfare, the commissioner may order that the license be required.*

Subd. 6. [FAILURE TO PROVIDE ACCURATE OR PERTINENT INFORMATION.] *The provisions of subdivision 5 shall not apply if the commissioner of economic development determines that the master application contained false, misleading, or deceptive information, or failed to include pertinent information, the lack of which could reasonably lead an agency to misjudge the applicability of licenses under its jurisdiction, or if new license requirements or related standards subsequently became effective for which an agency had no discretion in establishing the effective date.*

Subd. 7. [NOTIFICATION TO APPLICANT.] *The bureau, following the 20 day notice and response period, shall promptly provide the person having submitted a master application with application forms and related information for all licenses specified by the interested agencies and shall advise the person:*

(a) That all forms are to be completed and submitted to the interested agencies; and

(b) At the option of the applicant, that the bureau will receive all forms as a package with the fees to be charged, if any, and that the bureau will immediately separate and submit the forms and any allocable fees to the appropriate agencies.

Subd. 8. [WITHDRAWAL OF APPLICATION.] *An applicant may withdraw a master application at any time without forfeiture of any license approval applied for or obtained under the master application procedures contained in this section.*

Sec. 9. [362.467] [LICENSE COORDINATION AND ASSISTANCE TO APPLICANTS.]

Subdivision 1. [AUTHORIZATION.] *Any applicant for licenses required for a business undertaking, project, or activity may confer with the bureau to obtain assistance in the prompt and efficient processing and review of applications.*

Subd. 2. [DUTIES OF THE BUREAU.] *The bureau shall, so far as possible, render assistance; and the director may designate an officer or employee of the bureau to act as an expeditor for the purpose of:*

(a) Facilitating contacts for the applicant with agencies responsible for processing and reviewing license applications;

(b) Arranging conferences to clarify the interest and requirements of any

agency with respect to license applications;

(c) Considering with agencies the feasibility of consolidating hearings and data required of the applicant; and

(d) Assisting the applicant in the resolution of outstanding issues identified by agencies, including delays experienced in license review.

Sec. 10. [362.469] [CONSOLIDATED HEARINGS.]

Subdivision 1. [BUREAU MAY REQUEST.] The bureau may request the office of administrative hearings to consolidate hearings insofar as it is feasible and agreeable to all parties.

Subd. 2. [RULES OF PROCEDURE.] A consolidated hearing shall be conducted in a manner consistent with Minnesota Statutes, Sections 15.0411 to 15.052, and the applicable rules of the office of administrative hearings.

Subd. 3. [PREHEARING CONFERENCE.] The office of administrative hearings, with the consent of the agencies having license jurisdiction, may provide for a prehearing conference to assist in the disposition of the type, time, place, and parties of the consolidated hearing, the simplification of the issues, the stipulations as to agreed facts and necessary documents, and other relevant matters.

Sec. 11. [362.471] [LICENSE AUTHORITY RETAINED.]

Each agency having jurisdiction to approve or deny a license shall have the continuing power vested in it to make such determinations. The provisions of sections 1 to 14 of this article shall not lessen or reduce these powers and shall modify the procedures followed in carrying out these powers only to the extent provided in sections 1 to 14 of this article.

Sec. 12. [362.473] [SERVICES PROVIDED AT NO CHARGE.]

Services rendered by the bureau shall be made available without charge. Nothing contained in this section shall relieve an applicant of any part of the fees or charges established for the review and approval of license applications or relieve an applicant of any of the apportioned costs of a consolidated hearing conducted under sections 7 and 8 of this article.

Sec. 13. [362.475] [FEDERAL AND LOCAL GOVERNMENT PARTICIPATION.]

Subdivision 1. [ENCOURAGEMENT.] Federal and local government license agencies shall be encouraged to participate in the business license information, coordination, and assistance services of the bureau and to make information available to applicants through the bureau with respect to any business undertaking, project, or activity which is referred to the bureau under the provisions of sections 1 to 14 of this article.

Subd. 2. [ASSISTANCE TO FEDERAL AND LOCAL AGENCY LICENSE APPLICANTS.] The bureau shall, so far as is practicable, advise applicants of federal and local agency license requirements and shall maintain an information file on licenses for which the state has delegated issuance authority to local government agencies.

Subd. 3. [COORDINATION OF LICENSE REVIEW PROCEDURES.] The director shall consult with local government officials with respect to co-

operation in coordinating state and local license application and review procedures and shall recommend to the governor and the legislature any actions which would facilitate this coordination.

Sec. 14. [362.477] [COMPILATION AND MAINTENANCE OF STATISTICAL DATA.]

The bureau shall obtain and keep on an annual basis appropriate statistical data regarding the number of licenses issued by agencies, the amount of time necessary for the licenses to be issued, the cost of obtaining the licenses, the types of projects for which specific licenses are issued, a geographic distribution of licenses issued, and other pertinent data which the director deems appropriate. The bureau shall analyze the data by type of license and by agency responsible and shall make its findings available to the public.

Sec. 15. [REPEALER.]

Minnesota Statutes 1980, Section 362.45, is repealed.

Sec. 16. [REVOLVING FUND.]

There is established a business license revolving fund. Any other law notwithstanding, every agency issuing a business license after the effective date of this act shall impose a two percent surcharge or \$10, whichever is the lesser amount, for the issuance or renewal of a business license through the period ending June 30, 1982. A surcharge of one percent or \$10, whichever is the lesser amount, shall be imposed beginning July 1, 1982. Proceeds from the license surcharge shall be deposited in the business license revolving fund.

Sec. 17. [APPROPRIATION.]

There is appropriated from the general fund to the bureau of business licenses the sum of \$450,000 for the purpose of implementing sections 1 to 14 of this article. This appropriation is available until June 30, 1983. The complement of the department of economic development is increased by four. The funds deposited in the business license revolving fund shall be transferred to the general fund in an amount not to exceed \$450,000 for the biennium ending June 30, 1983.

Sec. 18. [EFFECTIVE DATE.]

Sections 1 to 15 of this article are effective the day following final enactment.

Amend the title as follows:

Page 1, line 5, after the semicolon insert "establishing a uniform business licensing policy; defining its scope; and detailing its application and effect; prescribing the powers and duties of the bureau of business licenses regarding the consolidation, simplification and expedition of business license procedures of state agencies; appropriating money;"

Page 1, line 6, before "362.50" insert "3.965, by adding a subdivision;"

Page 1, line 8, after the semicolon insert "proposing new law coded in Minnesota Statutes, Chapter 362;" and delete "Section" and insert "Sections 362.45; and"

The motion prevailed. So the amendment was adopted.

H. F. No. 188, which the committee recommends to pass, subject to the following motion:

The question was taken on the recommendation to pass H. F. No. 188.

The roll was called, and there were yeas 38 and nays 14, as follows:

Those who voted in the affirmative were:

Ashbach	Dahl	Kronebusch	Penny	Rued
Bang	Davies	Lantry	Peterson, C. C.	Schmitz
Belanger	Engler	Lessard	Peterson, D. L.	Solon
Benson	Frederick	Lindgren	Peterson, R. W.	Stern
Berg	Frederickson	Menning	Petty	Tennessen
Bernhagen	Hanson	Merriam	Pillsbury	Ulland
Bertram	Keefe	Nelson	Purfeerst	
Brataas	Knutson	Pehler	Renneke	

Those who voted in the negative were:

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

The motion prevailed. So H. F. No. 188 was recommended to pass.

H. F. No. 356, which the committee recommends to pass with the following amendment offered by Mr. Luther:

Amend H. F. No. 356, the unofficial engrossment, as follows:

Page 1, line 15, delete "information,"

The motion prevailed. So the amendment was adopted.

H. F. No. 306, which the committee recommends to pass, subject to the following motion:

The question was taken on the recommendation to pass H. F. No. 306.

The roll was called, and there were yeas 33 and nays 26, as follows:

Those who voted in the affirmative were:

Berglin	Hanson	Menning	Peterson, R. W.	Stumpf
Chmielewski	Hughes	Merriam	Petty	Tennessen
Dahl	Humphrey	Moe, D. M.	Purfeerst	Vega
Davies	Johnson	Moe, R. D.	Sikorski	Waldorf
Dicklich	Kroening	Nelson	Spear	Willet
Dieterich	Langseth	Pehler	Stern	
Frank	Luther	Peterson, C. C.	Stokowski	

Those who voted in the negative were:

Bang	Brataas	Knutson	Peterson, D. L.	Taylor
Belanger	Davis	Kronebusch	Ramstad	Ulland
Benson	Engler	Lantry	Renneke	
Berg	Frederickson	Lessard	Rued	
Bernhagen	Keefe	Lindgren	Schmitz	
Bertram	Knoll	Penny	Setzepfandt	

The motion prevailed. So H. F. No. 306 was recommended to pass.

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

CONFERENCE COMMITTEE EXCUSED

Pursuant to Rule 21, Mr. Olhoft moved that the following members be excused for a Conference Committee on H. F. No. 1052 at 1:30 p.m.:

Messrs. Olhoft, Setzepfandt and Rued. The motion prevailed.

Remaining on the Order of Business of Motions and Resolutions, Mr. Moe, R. D. moved that the Senate revert to the Order of Business of Messages From the House.

MESSAGES FROM THE HOUSE

Mr. President:

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

S. F. No. 118: A bill for an act relating to crimes; prohibiting the furnishing of tobacco related devices to minors; prohibiting minors from using tobacco or tobacco related devices; prescribing penalties; amending Minnesota Statutes 1980, Section 609.685.

Senate File No. 118 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned May 11, 1981

CONCURRENCE AND REPASSAGE

Mr. Waldorf moved that the Senate concur in the amendments by the House to S. F. No. 118 and that the bill be placed on its repassage as amended. The motion prevailed.

S. F. No. 118: A bill for an act relating to crimes; prohibiting the furnishing of tobacco related devices to minors; prohibiting minors from using tobacco or tobacco related devices; prescribing penalties; preserving local ordinances relating to minors' use of tobacco related devices; amending Minnesota Statutes 1980, Section 609.685.

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 3, as follows:

Those who voted in the affirmative were:

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

Mr. Bang, Ms. Berglin and Mr. Spear voted in the negative.

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. 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.

Senate File No. 1212 is herewith returned to the Senate:

Edward A. Burdick, Chief Clerk, House of Representatives

Returned May 11, 1981

Mr. Davis moved that the Senate do not concur in the amendments by the House to S. F. No. 1212, 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 to be appointed on the part of the House. The motion prevailed.

Mr. President:

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

S. F. No. 660: A bill for an act relating to counties; providing correct references to certain civil service procedures; amending Minnesota Statutes 1980, Sections 375.58, Subdivision 3; and 375.62.

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

Rees; Carlson, L. and Hokr.

Senate File No. 660 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned May 11, 1981

Mr. President:

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

S. F. No. 690: A bill for an act relating to retirement; contributions and benefits of judges and survivors under the uniform retirement and survivors' annuities law; amending Minnesota Statutes 1980, Section 490.124, Subdivi-

sions 9 and 12.

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

Reding, Sarna and Kaley.

Senate File No. 690 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned May 11, 1981

Mr. President:

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

S. F. No. 694: A bill for an act relating to commerce; regulating the manufacture, importation, distribution, sale, leasing and alteration of manufactured homes; conforming state regulatory practices and the state manufactured home building code to federal law; providing for enforcement of the code; prohibiting certain practices; providing civil and criminal penalties; amending Minnesota Statutes 1980, Sections 327.31; 327.32; 327.33; and 327.34, Subdivisions 1, 3, and 4, and by adding a subdivision; proposing new law coded in Minnesota Statutes, Chapter 327; repealing Minnesota Statutes 1980, Section 327.34, Subdivision 2.

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

Rees, Voss and Gruenes.

Senate File No. 694 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned May 11, 1981

Mr. President:

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

S. F. No. 939: A bill for an act relating to human rights; authorizing injunctions for acts of reprisal; increasing the award of punitive damages; permitting the recovery of damages for mental anguish and suffering; amending Minnesota Statutes 1980, Sections 363.06, Subdivision 4; and 363.071, Subdivision 2.

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

Staten, Greenfield and Luknic.

Senate File No. 939 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned May 11, 1981

Mr. President:

I have the honor to announce that the House refuses to concur in the Senate amendments to House File No. 586:

H. F. No. 586: A bill for an act relating to crimes; authorizing courts to order certain persons to participate in counseling in domestic abuse cases; creating the crime of intrafamilial sexual abuse; amending Minnesota Statutes 1980, Sections 518B.01, Subdivision 6; 595.02; 609.348; 609.35; 626.556, Subdivision 2; and 629.341, Subdivision 1; proposing new law coded in Minnesota Statutes, Chapter 609.

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

Anderson, B.; Simoneau and Dempsey have been appointed as such committee on the part of the House.

House File No. 586 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 11, 1981

Ms. Berglin moved that the Senate accede to the request of the House for a Conference Committee on H. F. No. 586, 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. 936:

H. F. No. 936: A bill for an act relating to natural resources; raising limitations on values of state timber which may be sold at public auction or informal sale; providing for special auction sales and changing certain other provisions relating to the sale and removal of state timber; sale of stumpage; amending Minnesota Statutes 1980, Sections 90.031, Subdivision 4; 90.101, Subdivision 1; 90.151, Subdivisions 11 and 13; 90.173; 90.181, Subdivision 2; 90.191, Subdivision 1; 282.04, Subdivision 1; proposing new law coded in Minnesota Statutes, Chapter 90.

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

Lehto, Munger and Nysether have been appointed as such committee on the part of the House.

House File No. 936 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 11, 1981

Mr. Hanson moved that the Senate accede to the request of the House for a Conference Committee on H. F. No. 936, 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 has adopted the recommendation and report of the Conference Committee on House File No. 969 and repassed said bill in accordance with the report of the Committee, so adopted.

House File No. 969 is herewith transmitted to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted May 11, 1981

CONFERENCE COMMITTEE REPORT ON 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.

May 6, 1981

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

We, the undersigned conferees for H. F. No. 969, report that we have agreed upon the items in dispute and recommend as follows:

That the Senate recede from its amendments.

We request adoption of this report and repassage of the bill.

House Conferees: (Signed) Gordon O. Voss, William Schreiber, Paul McCarron

Senate Conferees: (Signed) Franklin J. Knoll, Howard A. Knutson, William P. Luther

Mr. Knoll moved that the foregoing recommendations and Conference Committee Report on H. F. No. 969 be now adopted, and that the bill be repassed as amended by the Conference Committee. The motion prevailed. So the recommendations and Conference Committee Report were adopted.

H. F. No. 969 was read the third time, as amended by the Conference Committee, and placed on its repassage.

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

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

Those who voted in the affirmative were:

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

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

Mr. President:

I have the honor to announce that the House has adopted the recommendation and report of the Conference Committee on House File No. 1088 and repassed said bill in accordance with the report of the Committee, so adopted.

House File No. 1088 is herewith transmitted to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted May 11, 1981

CONFERENCE COMMITTEE REPORT ON H. F. NO. 1088

A bill for an act relating to the secretary of state; requiring that government survey documents be maintained on microfilm; providing for filing certain documents with the Minnesota historical society; amending Minnesota Statutes 1980, Section 5.03.

May 8, 1981

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

The Honorable Jack Davies
President of the Senate

We, the undersigned conferees for H. F. No. 1088, report that we have agreed upon the items in dispute and recommend as follows:

That the Senate recede from its amendment and that H.F. No. 1088 be further amended as follows:

Page 1, lines 17 to 23, delete the new language and insert "*The secretary of state shall maintain a microfilmed copy of government survey documents for public inspection. The original documents shall be preserved in a climate controlled environment prescribed by the secretary of state. The documents shall be maintained so that they are available for public inspection.*"

Amend the title as follows:

Page 1, line 4, delete "filing" and insert "preserving" and delete "with"

Page 1, line 5, delete "the Minnesota historical society"

We request adoption of this report and repassage of the bill.

House Conferees: (Signed) Lawrence J. Pogemiller, Frank J. Rodriguez, Sr., John R. Kaley

Senate Conferees: (Signed) James C. Pehler, Steven O. Lindgren, Ronald R. Dicklich

Mr. Pehler moved that the foregoing recommendations and Conference Committee Report on H. F. No. 1088 be now adopted, and that the bill be repassed as amended by the Conference Committee. The motion prevailed. So the recommendations and Conference Committee Report were adopted.

H. F. No. 1088: A bill for an act relating to the secretary of state; requiring

that government survey documents be maintained on microfilm; providing for preserving certain documents; amending Minnesota Statutes 1980, Section 5.03.

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

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

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

Those who voted in the affirmative were:

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

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

Remaining on the Order of Business of Motions and Resolutions, Mr. Moe, R.D. moved that the Senate revert to the Order of Business of Reports of Committees. The motion prevailed.

REPORTS OF COMMITTEES

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

S. F. No. 65: A bill for an act relating to the attorney general; providing that the attorney general may render bond counsel services to state agencies and political subdivisions upon request; appropriating money; proposing new law coded in Minnesota Statutes, Chapter 8.

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

Page 2, delete lines 9 and 10

Page 2, line 11, delete everything before "state"

Page 2, line 15, after the period, insert "*Fees shall be credited to a bond counsel account and are annually appropriated to the attorney general for providing bond counsel services.*"

Page 2, delete lines 16 to 19

Renumber the remaining section

And when so amended the bill be re-referred to the Committee on Governmental Operations.

Mr. Moe, R.D. moved the adoption of the foregoing committee report. Mr. Tennessee questioned the reference thereon and, under Rule 35, the bill was referred to the Committee on Rules and Administration.

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. Pehler, Dicklich, Davis and Knoll introduced—

S.F. No. 1414: A bill for an act relating to congressional districts; reapportioning congressional districts; amending Minnesota Statutes 1980, Sections 2.741; 2.751; 2.761; 2.771; 2.781; 2.791; 2.801; and 2.811.

Referred to the Committee on Elections and Reapportionment.

Messrs. Bernhagen, Benson, Setzepfandt, Renneke and Ashbach introduced—

S.F. No. 1415: A bill for an act relating to publicly owned lands; directing the commissioner of natural resources to take certain actions and make recommendations intended to stabilize the acreage of publicly owned lands within the state; amending Minnesota Statutes 1980, Section 84.027, by adding a subdivision.

Referred to the Committee on Agriculture and Natural Resources.

Messrs. Hanson; Peterson, C.C.; Willet; Moe, R.D. and Benson introduced—

S.F. No. 1416: A bill for an act relating to taxation; providing property tax relief for certain agricultural woodlands; providing reimbursement to the counties for lost revenue; appropriating money; proposing new law coded in Minnesota Statutes, Chapter 273.

Referred to the Committee on Taxes and Tax Laws.

Mr. Ashbach, by request, introduced—

S.F. No. 1417: A bill for an act relating to education; providing for the higher education coordinating board to be the commissioner of administration; appropriating money; amending Minnesota Statutes 1980, Sections 136A.02, Subdivision 1; and 136A.142; proposing new law coded in Minnesota Statutes, Chapter 136A; repealing Minnesota Statutes 1980, Section 136A.02, Subdivisions 1a and 3.

Referred to the Committee on Education.

Mr. Menning introduced—

S.F. No. 1418: A bill for an act relating to natural resources; authorizing an addition to Split Rock Creek Recreation Area and authorizing land acquisition in relation thereto.

Referred to the Committee on Agriculture and Natural Resources.

Ms. Berglin, Messrs. Stern, Hanson, Olhoft and Vega introduced—

S.F. No. 1419: A bill for an act relating to taxation; increasing the rate of taxes on intoxicating liquors and tobacco products; imposing additional taxes on cigarettes; imposing penalties; amending Minnesota Statutes 1980, Sections 297.32, Subdivisions 1 and 2; and 340.47, Subdivisions 1 and 1a; proposing new law coded in Minnesota Statutes, Chapter 297.

Referred to the Committee on Taxes and Tax Laws.

Mr. Bang introduced—

S.F. No. 1420: A bill for an act relating to labor; providing for wage deductions in certain instances; amending Minnesota Statutes 1980, Section 181.79, Subdivision 1.

Referred to the Committee on Employment.

Messrs. Renneke, Setzepfandt, Benson, Wegener and Lessard introduced—

S.F. No. 1421: A bill for an act relating to game and fish; authorizing a separate selection for deer permits for persons 65 years of age or older; amending Minnesota Statutes 1980, Section 97.48, Subdivision 24.

Referred to the Committee on Agriculture and Natural Resources.

MOTIONS AND RESOLUTIONS - CONTINUED

Mr. Moe, R.D. moved that the Senate do now adjourn until 11:00 a.m., Tuesday, May, 12, 1981. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate