

FIFTY-FOURTH DAY

St. Paul, Minnesota, Thursday, May 14, 1981

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

Prayer was offered by the Chaplain, Rev. Larry R. Friesen.

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	Tennessee
Berglin	Hanson	Menning	Ramstad	Ulland
Bernhagen	Hughes	Merriam	Renneke	Vega
Bertram	Humphrey	Moe, D.M.	Rued	Waldorf
Brataas	Johnson	Moe, R.D.	Schmitz	Wegener
Chmielewski	Keefe	Nelson	Setzepfandt	Willet
Dahl	Knoll	Olhoft	Sieloff	
Davies	Knutson	Pehler	Sikorski	
Davis	Kroening	Penny	Solon	
Dicklich	Kronebusch	Peterson, C.C.	Spear	

The President declared a quorum present.

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

MEMBERS EXCUSED

Messrs. Humphrey, Knoll, Sieloff, Sikorski and Tennessee were excused from the early part of today's Session. Mr. Peterson, D. L. was excused from the Session of today from 11:00 a.m. to 5:00 p.m. Mr. Wegener was excused from the Session of today at 3:30 p.m. Mr. Merriam was excused from the Session of today from 11:00 a.m. to 1:00 p.m. Mrs. Stokowski was excused from the Session of today from 1:00 to 3:00 p.m. Mr. Johnson was excused from the Session of today from 2:45 to 3:45 p.m.

EXECUTIVE AND OFFICIAL COMMUNICATIONS

May 11, 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 Act of the 1981 Session of the State Legislature has been received from the Office of the Governor and is deposited in the Office of the Secretary of State for preserva-

tion, 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
	312	151	May 8	May 8

Sincerely,

Joan Anderson Growe
Secretary of State

May 11, 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
1259		152	May 8	May 11
	57	153	May 8	May 11
	486	154	May 8	May 11
	536	155	May 8	May 11
	567	156	May 8	May 11
	659	157	May 8	May 11
	681	158	May 8	May 11
	976	159	May 8	May 11
	996	160	May 8	May 11

Sincerely,

Joan Anderson Growe
Secretary of State

May 11, 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
18		161	May 11	May 11
77		162	May 11	May 11
291		163	May 11	May 11
432		164	May 11	May 11
443		165	May 11	May 11
550		166	May 11	May 11
556		167	May 11	May 11

625	168	May 11	May 11
823	169	May 11	May 11
1193	170	May 11	May 11
1248	171	May 11	May 11
1278	172	May 11	May 11
28	173	May 11	May 11
54	174	May 11	May 11
443	175	May 11	May 11
509	176	May 11	May 11
886	177	May 11	May 11
932	178	May 11	May 11

Sincerely,

Joan Anderson Growe
Secretary of State

May 12, 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 Act of the 1981 Session of the State Legislature has been received from the Office of the Governor and is 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
	889	179	May 11	May 11

Sincerely,

Joan Anderson Growe
Secretary of State

March 10, 1981

The Honorable Jack Davies
President of the Senate

Dear Sir:

The following appointments to the State Board of Education are hereby respectfully submitted to the Senate for confirmation as required by law:

Beverly J. Carpenter, 1319 E. 94th St., Bloomington, Hennepin County, has been appointed by me, effective March 10, 1981, for a term expiring the first Monday in January, 1985.

Louis R. Smerling, 2552 W. Lake of the Isles Blvd., Minneapolis, Hennepin County, has been appointed by me, effective March 10, 1981, for a term expiring the first Monday in January, 1985.

Marilyn Witty, 521 S. Minnesota Ave., P.O. Box 117, St. Peter, Nicollet County, has been appointed by me, effective March 10, 1981, for a term expiring the first Monday in January, 1985.

(Referred to the Committee on Education.)

April 16, 1981

The Honorable Jack Davies
President of the Senate

Dear Sir:

The following appointment to the Metropolitan Council is hereby respectfully submitted to the Senate for confirmation as required by law:

John F. Bergford, Jr., 2218 Mount View Ave., Minneapolis, Hennepin County, has been appointed by me, effective April 16, 1981, for a term expiring the first Monday in January, 1983.

(Referred to the Committee on Governmental Operations.)

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 File, herewith returned: S. F. No. 177.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned May 13, 1981

Mr. President:

I have the honor to announce that the House refuses to concur in the Senate amendments to House File No. 678:

H. F. No. 678: A bill for an act relating to elections; changing certain election procedures, requirements and time limits; amending Minnesota Statutes 1980, Sections 201.071, Subdivision 1; 202A.26, Subdivision 1; 203A.22, Subdivision 4; 203A.31, Subdivisions 1 and 3; 203A.32; 204A.04, Subdivision 1; 204A.13, Subdivision 1; 204A.17, Subdivision 1; 204A.53, Subdivision 2; 204A.54, Subdivision 1; 205.03, Subdivisions 1 and 3; 207.03, Subdivision 1; 207.04, Subdivision 1; and 207.20, Subdivision 1; repealing Minnesota Statutes 1980, Sections 201.091, Subdivision 5; and 202A.54.

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

Osthoff, Minne and Peterson, D, have been appointed as such committee on the part of the House.

House File No. 678 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 13, 1981

Mr. Schmitz moved that the Senate accede to the request of the House for a Conference Committee on H. F. No. 678, 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. 356:

H. F. No. 356: A bill for an act relating to crimes; specifying offenses relating to computers; providing penalties; proposing new law coded in Minnesota Statutes 1980, Chapter 609.

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

Kahn, Vanasek and Laidig have been appointed as such committee on the part of the House.

House File No. 356 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 13, 1981

Mr. Luther moved that the Senate accede to the request of the House for a Conference Committee on H. F. No. 356 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. 697:

H. F. No. 697: A bill for an act relating to agriculture; regulating alien use of agricultural land; providing penalties; amending Minnesota Statutes 1980, Section 500.221.

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

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

House File No. 697 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 13, 1981

Mr. Hanson moved that the Senate accede to the request of the House for a Conference Committee on H. F. No. 697, and that a Conference Committee of 3 members be appointed by the Subcommittee on Committees on the part of the Senate, to act with a like Conference Committee appointed on the part of the House. The motion prevailed.

Mr. President:

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

S. F. No. 98: A bill for an act relating to local government; providing for the membership of the municipal board; amending Minnesota Statutes 1980, Section 414.01, Subdivision 2.

Senate File No. 98 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned May 13, 1981

CONCURRENCE AND REPASSAGE

Mr. Wegener moved that the Senate concur in the amendments by the House to S. F. No. 98 and that the bill be placed on its repassage as amended. The motion prevailed.

S. F. No. 98 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 55 and nays 0, as follows:

Those who voted in the affirmative were:

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

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. 728: A bill for an act relating to the city of Big Falls; authorizing the establishment of detached banking facilities.

Senate File No. 728 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned May 13, 1981

CONCURRENCE AND REPASSAGE

Mr. Lessard moved that the Senate concur in the amendments by the House to S. F. No. 728 and that the bill be placed on its repassage as amended. The motion prevailed.

S. F. No. 728: A bill for an act relating to the city of Northome; authorizing the establishment of detached banking facilities.

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 43 and nays 14, as follows:

Those who voted in the affirmative were:

Ashbach	Dicklich	Langseth	Peterson, R. W.	Stokowski
Bang	Dieterich	Lantry	Pillsbury	Stumpf
Belanger	Engler	Lessard	Purfeerst	Taylor
Benson	Frank	Luther	Ramstad	Ulland
Berg	Hanson	Menning	Rued	Vega
Berglin	Johnson	Moe, R. D.	Schmitz	Wegener
Dahl	Knutson	Nelson	Setzepfandt	Willet
Davies	Kroening	Olhoft	Spear	
Davis	Kronebusch	Pehler	Stern	

Those who voted in the negative were:

Bernhagen	Frederick	Keefe	Penny	Renneke
Bertram	Frederickson	Lindgren	Peterson, C. C.	Waldorf
Brataas	Hughes	Moe, D. M.	Petty	

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. 804: A bill for an act relating to motor vehicles; providing for the re-registration of certain motor vehicles and combinations of vehicles; defining gross vehicle weight; exempting certain vehicles from certain weight limitations; establishing gross weight limitations on certain highways for certain motor vehicles and combinations of vehicles; providing exceptions to certain gross weight limitations; providing for the designation and undesignation of certain routes; providing for the weighing of certain vehicles and combinations of vehicles and the enforcement of weight limitations; allowing the use of certain documents as relevant evidence of exceeding vehicle weight limits, and providing exceptions; requiring record keeping for shipments loaded or unloaded, and providing exceptions; imposing civil and criminal penalties; amending Minnesota Statutes 1980, Sections 168.013, Subdivision 3; 169.01, Subdivision 46; 169.03, Subdivision 6; 169.832, Subdivision 11; 169.85; 169.851; 169.86, Subdivision 1a; 169.87, Subdivision 2; 169.871; 169.872; proposing new law coded in Minnesota Statutes, Chapter 169; repealing Minnesota Statutes 1980, Sections 169.83; 169.832, Subdivisions 1, 2, 3, 4, 5, 6, 7, 8, 9, 10 and 12; and 169.834.

Senate File No. 804 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned May 13, 1981

CONCURRENCE AND REPASSAGE

Mr. Willet moved that the Senate concur in the amendments by the House to S. F. No. 804 and that the bill be placed on its repassage as amended. The motion prevailed.

S. F. No. 804 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 42 and nays 16, as follows:

Those who voted in the affirmative were:

Bang	Frederick	Lessard	Peterson, R. W.	Stern
Belanger	Frederickson	Lindgren	Petty	Stokowski
Chmielewski	Hanson	Luther	Pillsbury	Taylor
Davies	Johnson	Menning	Purfeerst	Vega
Davis	Keefe	Moe, R. D.	Ramstad	Wegener
Dicklich	Knutson	Nelson	Rued	Willet
Dieterich	Kronebusch	Olhoft	Schmitz	
Engler	Langseth	Penny	Sieloff	
Frank	Lantry	Peterson, C. C.	Solon	

Those who voted in the negative were:

Benson	Bertram	Kroening	Renneke	Stumpf
Berg	Dahl	Moe, D. M.	Setzepfandt	Ulland
Berglin	Hughes	Pehler	Spear	Waldorf
Bernhagen				

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. 886: A bill for an act relating to health; prohibiting disciplinary action against a physician who administers dimethyl sulfoxide under certain conditions; regulating the sale of dimethyl sulfoxide; proposing new law coded in Minnesota Statutes, Chapters 147 and 151.

Senate File No. 886 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned May 13, 1981

Mr. Stern moved that the Senate do not concur in the amendments by the House to S. F. No. 886, 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 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. 964: A bill for an act relating to human rights; requiring certain state contractors to have affirmative action plans approved by the commissioner of human rights; amending Minnesota Statutes 1980, Section 363.073; proposing new law coded in Minnesota Statutes, Chapter 363.

Senate File No. 964 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned May 13, 1981

Ms. Berglin moved that the Senate do not concur in the amendments by the House to S. F. No. 964, 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 the passage by the House of the following House Files, herewith transmitted: H. F. Nos. 968; 1448, 403, 766, 1184 and 1253.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted May 13, 1981

FIRST READING OF HOUSE BILLS

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

H. F. No. 968: A bill for an act relating to penalties for crimes; creating the Minnesota law enforcement training account and the crime victim assistance account; appropriating money; amending Minnesota Statutes 1980, Sections 171.16, Subdivision 3; 299B.06; 588.01, Subdivision 3; proposing new law coded in Minnesota Statutes, Chapter 626.

Referred to the Committee on Rules and Administration for comparison with S. F. No. 807.

H. F. No. 1448: A bill for an act relating to counties; excepting a county legal assistance levy from levy limits; amending Minnesota Statutes 1980, Section 375.167, Subdivision 1.

Referred to the Committee on Taxes and Tax Laws.

H. F. No. 403: A bill for an act relating to public utilities; providing for rights of shareholders of cooperative electric associations; proposing new law coded in Minnesota Statutes, Chapter 216B.

Referred to the Committee on Rules and Administration for comparison with S. F. No. 311, now on General Orders.

H. F. No. 766: A bill for an act relating to the University of Minnesota hospitals; authorizing the sale of state bonds and loan of the proceeds of the sale to the board of regents of the University of Minnesota; limiting the use of the proceeds of the bonds; requiring an annual report to the legislature; appropriating money.

Mr. Nelson moved that H. F. No. 766 be laid on the table. The motion prevailed.

H. F. No. 1184: A bill for an act relating to taxation; requiring the state agricultural society to negotiate an agreement to provide compensation for certain city services; providing for homestead classification of certain leased premises; amending Minnesota Statutes 1980, Section 273.13, by adding a subdivision; and proposing new law coded in Minnesota Statutes, Chapter 38.

Referred to the Committee on Taxes and Tax Laws.

H. F. No. 1253: A bill for an act relating to the department of economic security; authorizing financial assistance to community action agencies; defining terms; providing a formula for the distribution of funds; proposing new law coded as Minnesota Statutes, Chapter 268A.

Referred to the Committee on Governmental Operations.

MOTIONS AND RESOLUTIONS

Mrs. Brataas moved that the name of Mr. Dahl be added as co-author to S. F. No. 1404. The motion prevailed.

S. F. No. 665 and the Conference Committee Report thereon were reported to the Senate.

CONFERENCE COMMITTEE REPORT ON S. F. NO. 665

A bill for an act relating to insurance; establishing standards applicable to accident or health insurance policies which purport to supplement medicare benefits; prescribing minimum levels of coverage; providing for certain disclosures; and prescribing penalties; amending Minnesota Statutes 1980, Section 62E.02, Subdivision 5; proposing new law coded in Minnesota Statutes, Chapter 62A.

May 8, 1981

The Honorable Jack Davies
President of the Senate

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

We, the undersigned conferees for S. F. No. 665, report that we have agreed upon the items in dispute and recommend as follows:

That the House recede from its amendments and that S. F. No. 665 be further amended as follows:

Page 2, line 6, delete "*individual travel accident policies*" and insert "*disability income protection insurance policies*"

Page 2, line 11, delete "*of the employer*" and insert "*, and dependents of employees or retirees.*"

Page 3, line 1, delete "QUALIFIED"

Page 3, after line 30, insert "*The coverage must be subject to a maximum lifetime benefit of not less than \$100,000.*"

Page 3, line 31, delete "NON-QUALIFIED"

Page 4, line 14, delete "and"

Page 4, line 23, delete "NON-QUALIFIED"

Page 5, line 8, delete "NON-QUALIFIED"

Page 6, line 12, before "No" insert "*Subdivision 1.*"

Page 6, line 15, after "*body*" insert "*of this state or any agency thereof or of the United States of America or any agency thereof*"

Page 6, after line 15, insert

"Subd. 2. Any false statement or representation printed on the policy or on promotional literature that indicates the policy has a connection with, is certified by, or has the approval or endorsement of any agency of this state or of the United States of America shall be unlawful."

Page 8, line 5, after "*way*" insert "*, including a violation of section 7,*"

Page 8, line 20, delete "*this section*" and insert "*sections 1 to 12*"

Page 8, line 29, delete "*this section*" and insert "*sections 1 to 12*"

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

Senate Conferees: (Signed) Timothy J. Penny, Gerry Sikorski, John B. Keefe

House Conferees: (Signed) James C. Swanson, Lee Greenfield, John R. Kaley

Mr. Penny moved that the foregoing recommendations and Conference Committee Report on S. F. No. 665 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.

S. F. No. 665 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 58 and nays 0, as follows:

Those who voted in the affirmative were:

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

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

MOTIONS AND RESOLUTIONS - CONTINUED

Mr. Willet moved that H.F. No. 295 be withdrawn from the Committee on Finance and re-referred to the Committee on Rules and Administration for comparison with S. F. No. 355, now on General Orders. The motion prevailed.

SUSPENSION OF RULES

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

CALENDAR

S. F. No. 140: A bill for an act relating to natural resources; changing the term "public waters" to "protected waters"; excluding watercourses with a drainage area of five square miles or less from the definition of protected

waters; requiring notice to landowners of designation of wetlands adjacent to their property; permitting repair of drainage systems without a permit; changing the procedure for designating protected waters and wetlands; raising the petitioners' bond in certain drainage project cases and the appellant's bond in the case of certain appeals; eliminating a responsibility imposed on certain water project contractors; amending Minnesota Statutes 1980, Sections 105.37, Subdivisions 14, 15 and 16, and by adding a subdivision; 105.38; 105.39, Subdivision 3; 105.391, Subdivisions 1, 3, 10 and 11; 105.42, Subdivision 1; 106.041; 106.631, Subdivision 2; repealing Minnesota Statutes 1980, Section 105.463.

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 36 and nays 24, as follows:

Those who voted in the affirmative were:

Ashbach	Chmielewski	Langseth	Peterson, C. C.	Sieloff
Bang	Davis	Lessard	Peterson, R. W.	Taylor
Belanger	Engler	Menning	Pillsbury	Wegener
Benson	Frederick	Moe, R. D.	Purfeerst	Willet
Berg	Frederickson	Nelson	Renneke	
Bernhagen	Hanson	Olhoft	Rued	
Bertram	Knutson	Pehler	Schmitz	
Brataas	Kronebusch	Penny	Setzepfandt	

Those who voted in the negative were:

Berglin	Frank	Lantry	Ramstad	Stumpf
Dahl	Hughes	Lindgren	Solon	Ulland
Davies	Johnson	Luther	Spear	Vega
Dicklich	Keefe	Moe, D. M.	Stern	Waldorf
Dieterich	Kroening	Petty	Stokowski	

So the bill passed and its title was agreed to.

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; requiring the higher education coordinating board to receive approval prior to implementing a parent loan program; increasing the bonding authority of the higher-education coordinating board; expanding the career guidance program; providing exclusive property rights in certain records; providing for development of procedures by the higher education coordinating board and the state board for vocational education; amending Minnesota Statutes 1980, Sections 136A.141; 136A.15, Subdivision 7; 136A.16, Subdivisions 3 and 4, and by adding a subdivision; 136A.17, Subdivisions 1, 4, and 10; 136A.171; 136A.85; 136A.86, Subdivisions 2, 3, and by adding a subdivision.

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

The question was taken on the passage of the bill.

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

Those who voted in the affirmative were:

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

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 proceed to the 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. Solon and Ulland introduced—

S.F. No. 1428: A bill for an act relating to public health; providing for the development, promotion and coordination of regional emergency medical services systems; providing for the organization of emergency medical services districts; proposing new law coded in Minnesota Statutes, Chapter 145.

Referred to the Committee on Health, Welfare and Corrections.

Mr. Stumpf introduced—

S.F. No. 1429: A bill for an act relating to metropolitan government; changing the membership of the metropolitan parks and open space commission; amending Minnesota Statutes 1980, Section 473.301, by adding a subdivision; proposing new law coded in Minnesota Statutes, Chapter 473; and repealing Minnesota Statutes 1980, Section 473.303.

Referred to the Committee on Local Government and Urban Affairs.

Mr. Peterson, D. L. introduced—

S.F. No. 1430: A bill for an act proposing an amendment to the Minnesota Constitution, Article VI, Sections 7 and 8; providing for the appointment and election of judges.

Referred to the Committee on Judiciary.

Mr. Dicklich, Ms. Berglin, Messrs. Johnson and Kroening introduced—

S.F. No. 1431: A bill for an act relating to energy; establishing the Coleman Corporation to provide low cost home heating oil to Minnesota residents; proposing new law coded as Minnesota Statutes, Chapter 116J.

Referred to the Committee on Energy and Housing.

Mr. Langseth introduced—

S.F. No. 1432: A bill for an act relating to taxation; authorizing an income tax exemption for certain new business facilities; amending Minnesota Statutes 1980, Sections 290.01, Subdivision 20; and 290.08, by adding a subdivision.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Pillsbury, Ashbach and Knutson introduced—

S.F. No. 1433: A bill for an act relating to metropolitan government; providing a method for election of metropolitan council members; fixing the size of the council; amending Minnesota Statutes 1980, Sections 473.121, by adding a subdivision; and 473.123.

Referred to the Committee on Local Government and Urban Affairs.

Messrs. Stern, Luther, Tennessen, Johnson and Bang introduced—

S.F. No. 1434: A bill for an act relating to trade regulation; prohibiting certain unfair and deceptive practices and unreasonable restraints of trade in the business of motion picture distribution; prescribing penalties; proposing new law coded in Minnesota Statutes, Chapter 325D.

Referred to the Committee on Commerce.

MOTIONS AND RESOLUTIONS - CONTINUED

Mr. Spear moved that S. F. No. 1164 be taken from the table and placed at the top of General Orders. 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. Wegener in the chair.

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

H.F. No. 1160, which the committee recommends to pass, subject to the following motion:

Mr. Peterson, C.C. moved that the amendment made to H.F. No. 1160 by the Committee on Rules and Administration in the report adopted May 6, 1981, pursuant to Rule 49, be stricken. The motion prevailed. So the amendment was stricken.

S. F. No. 1170, which the committee recommends be returned to the Committee on Judiciary.

S. F. No. 391, which the committee recommends be returned to the Committee on Employment.

H.F. No. 1051, which the committee recommends to pass, subject to the

following motions:

The question was taken on the recommendation to pass H. F. No. 1051.

The roll was called, and there were yeas 20 and nays 26, as follows:

Those who voted in the affirmative were:

Berglin	Dicklich	Kroening	Pehler	Stern
Dahl	Dieterich	Lantry	Peterson, R.W.	Vega
Davies	Hughes	Luther	Petty	Waldorf
Davis	Johnson	Moe, D. M.	Schmitz	Willet

Those who voted in the negative were:

Ashbach	Bertram	Lessard	Purfeerst	Ulland
Bang	Chmielewski	Lindgren	Ramstad	Wegener
Belanger	Frank	Merriam	Renneke	
Benson	Frederickson	Olhoft	Rued	
Berg	Knutson	Penny	Sieloff	
Bernhagen	Kronebusch	Peterson, C.C.	Taylor	

The motion did not prevail. So the bill was not recommended to pass.

RECONSIDERATION

Having voted on the prevailing side, Mr. Sieloff moved that the vote whereby the recommendation to pass H. F. No. 1051 failed on May 14, 1981, be now reconsidered. The motion prevailed.

Mr. Rued moved to amend H.F. No. 1051, as amended pursuant to Rule 49, adopted by the Senate May 8, 1981, as follows:

(The text of the amended House File is identical to S.F. No. 1317.)

Page 1, line 19, delete "county,"

The motion prevailed. So the amendment was adopted.

S. F. No. 635, which the committee reports progress, subject to the following motions:

Mr. Hanson moved to amend S. F. No. 635 as follows:

Pages 1 and 2, delete section 1

Page 17, line 7, delete "13 and 15" and insert "12 and 14"

Page 17, line 9, delete "9" and insert "8"

Page 17, line 12, delete "14" and insert "13"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 5, delete "124.212, Subdivision 10;"

The motion prevailed. So the amendment was adopted.

Mr. Hanson then moved to amend S. F. No. 635 as follows:

Page 3, lines 15 and 16, delete the new language and reinstate the stricken language

The motion prevailed. So the amendment was adopted.

Mr. Hanson then moved to amend S. F. No. 635 as follows:

Page 6, line 30, delete the new language

Page 6, line 31, delete "3b have been met"

Page 8, delete section 8

Page 17, line 7, delete "13 and 15" and insert "12 and 14"

Page 17, line 9, delete "9" and insert "8"

Page 17, line 12, delete "14" and insert "13"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 7, delete "subdivisions" and insert "a subdivision"

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 30 and nays 28, as follows:

Those who voted in the affirmative were:

Bang	Engler	Knoll	Penny	Schmitz
Belanger	Frank	Kronebusch	Petty	Setzepfandt
Benson	Frederick	Lessard	Pillsbury	Solon
Berg	Frederickson	Lindgren	Ramstad	Taylor
Bernhagen	Hanson	Nelson	Renneke	Ulland
Brataas	Keefe	Pehler	Rued	Willet

Those who voted in the negative were:

Berglin	Dicklich	Lantry	Peterson, C. C.	Stumpf
Bertram	Dieterich	Luther	Peterson, R. W.	Tennessee
Chmielewski	Hughes	Menning	Purfeerst	Vega
Dahl	Humphrey	Merriam	Sieloff	Waldorf
Davies	Kroening	Moe, D. M.	Sikorski	
Davis	Langseth	Olhoft	Stern	

The motion prevailed. So the amendment was adopted.

Mr. Hanson then moved to amend S.F. No. 635 as follows:

Page 10, line 27, delete "15" and insert "50"

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 31 and nays 29, as follows:

Those who voted in the affirmative were:

Ashbach	Frederick	Lessard	Purfeerst	Ulland
Bang	Frederickson	Lindgren	Ramstad	Wegener
Belanger	Hanson	Moe, R. D.	Renneke	Willet
Benson	Keefe	Nelson	Rued	
Bernhagen	Knoll	Pehler	Schmitz	
Brataas	Knutson	Penny	Setzepfandt	
Engler	Kronebusch	Pillsbury	Taylor	

Those who voted in the negative were:

Berg	Dicklich	Kroening	Peterson, C. C.	Stern
Berglin	Dieterich	Lantry	Peterson, R. W.	Stumpf
Bertram	Frank	Luther	Petty	Tennessee
Dahl	Hughes	Menning	Sieloff	Vega
Davies	Humphrey	Merriam	Sikorski	Waldorf
Davis	Johnson	Olhoft	Spear	

The motion prevailed. So the amendment was adopted.

Mr. Keefe moved to amend S. F. No. 635 as follows:

Page 9, lines 10 to 16, delete the new language

The motion prevailed. So the amendment was adopted.

S. F. No. 635 was then progressed.

S. F. No. 810, which the committee recommends to pass, after the following motion:

Mr. Renneke moved to amend S. F. No. 810 as follows:

Page 1, after line 7, insert:

“Section 1. Minnesota Statutes 1980, Section 115.07, is amended by adding a subdivision to read:

Subd. 3a. [LOCATION OF CERTAIN FACILITIES.] No lagoon or settling basin which is part of any treatment works may be constructed by a municipality within one half mile of any residential structure without an agreement with the majority of the affected resident freeholders. For the purpose of this subdivision, the term “municipality” has the meaning given in section 115.41, subdivision 4.”

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 4, after the semicolon insert “prohibiting construction of certain municipal sewage treatment works near residential structures;”

Page 1, line 4, delete “Section” and insert “Sections 115.07, by adding a subdivision; and”

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 17 and nays 28, as follows:

Those who voted in the affirmative were:

Ashbach	Engler	Knutson	Renneke	Ulland
Berg	Frederick	Kronebusch	Rued	
Bernhagen	Frederickson	Pillsbury	Sieloff	
Brataas	Keefe	Purfeerst	Taylor	

Those who voted in the negative were:

Bertram	Dieterich	Langseth	Pehler	Stokowski
Chmielewski	Frank	Lantry	Peterson, R. W.	Tennessen
Dahl	Hughes	Luther	Petty	Vega
Davis	Humphrey	Merriam	Ramstad	Waldorf
Davis	Knoll	Moe, R. D.	Solon	
Dicklich	Kroening	Nelson	Spear	

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

H. F. No. 986, which the committee recommends to pass, subject to the following motion:

Mr. Tennessen moved that the amendment made to H. F. No. 986 by the Committee on Rules and Administration in the report adopted May 11, 1981, pursuant to Rule 49, be stricken. The motion prevailed. So the amendment was stricken.

H. F. No. 636, which the committee reports progress, subject to the following motion:

Mr. Chmielewski moved to amend H.F. No. 636, as amended pursuant to Rule 49, adopted by the Senate May 5, 1981, as follows:

(The text of the amended House File is identical to S. F. No. 764.)

Page 3, after line 13, insert:

"Sec. 3. Minnesota Statutes 1980, Section 268.071, is amended by adding subdivisions to read:

Subd. 8. [INTERSTATE CLAIMS.] An individual shall not be eligible for extended benefits for any week if:

(a) extended benefits are payable for that week pursuant to an interstate claim filed in any state under the interstate benefit payment plan; and

(b) no extended benefit period is in effect for the week in that state.

This subdivision shall not apply to the first two weeks for which extended benefits are payable pursuant to an interstate claim filed under the interstate benefit payment plan to the individual from the extended benefit account established for the individual with respect to the benefit year.

Subd. 9. [ELIGIBILITY REQUIREMENTS.] Notwithstanding the provisions of subdivision 2, an individual shall be ineligible for the payment of extended benefits for any week of unemployment in his eligibility period if the commissioner finds that during that period he failed to accept any offer of suitable work or failed to apply for any suitable work to which he was referred by the commissioner or failed to actively engage in seeking work.

Any individual who has been found ineligible for extended benefits by reason of this subdivision shall also be denied benefits for the week following the week in which the failure occurred and until he has been employed in each of four subsequent weeks, whether or not consecutive, and has earned remuneration of not less than four times his extended weekly benefit amount.

For the purpose of this subdivision "suitable work" means, with respect to any individual, any work which is within that individual's capabilities and the gross average weekly remuneration exceeds the sum of the individual's weekly benefit amount as determined under subdivision 4 plus the amount, if any, of supplemental unemployment benefits, as defined in section 501(c)(17)(D) of the Internal Revenue Code of 1954, payable to the individual for that week; and the work pays wages not less than the higher of the minimum wage provided by section 6(a)(1) of the Fair Labor Standards Act of 1938, as amended, without regard to any exemption, or the applicable state or local minimum wage.

No individual shall be denied extended benefits for failure to accept an offer of or apply for any suitable work if: (a) the position was not offered to the individual in writing and was not listed with employment service; (b) the failure could not result in a denial of benefits under the definition of suitable work for regular benefit claimants in section 268.09, subdivision 2, clause (a) to the extent that the criteria of suitability therein is not inconsistent with this subdivision; or (c) the individual furnishes satisfactory evidence to the commissioner that his prospects for obtaining work in his customary occupation within

a reasonably short period are good. If the evidence furnished is found to be satisfactory for this purpose, the determination of whether any work is suitable for the individual shall be made in accordance with the definition of suitable work for regular benefit claimants in section 268.09, subdivision 2, clause (a) without regard to the definition specified in this subdivision.

No work shall be found to be suitable work for an individual which does not accord with the labor standard provisions required by section 3304(a)(5) of the Internal Revenue Code of 1954, as amended, and set forth in section 268.09, subdivision 2, clauses (b)(1)(2)(3).

For the purpose of this subdivision an individual is actively seeking work during any week if the individual has engaged in a systematic and sustained effort to obtain work during the week, and the individual furnishes tangible evidence that he has engaged in that effort during the week.

The employment service shall refer any claimant entitled to extended benefits under section 268.071 to any suitable work."

Page 3, line 14, delete "3" and insert "4"

Page 3, line 18, after the period, insert "Section 3 is effective the day following final enactment."

Amend the title as follows:

Page 1, line 6, after the semicolon, insert "modifying extended benefit eligibility;"

Page 1, line 7, delete "and" and before the period insert "; and 268.071, by adding subdivisions"

The motion prevailed. So the amendment was adopted.

H. F. No. 636 was then progressed.

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

MOTIONS AND RESOLUTIONS - CONTINUED

SUSPENSION OF RULES

Mr. Sieloff moved that the rules of the Senate be so far suspended that H. F. No. 515, No. 10 on General Orders, be made a Special Order for immediate consideration. The motion prevailed.

SPECIAL ORDER

H. F. No. 515: A bill for an act relating to coroners; eliminating the requirement of filing a certificate of no inquest; amending Minnesota Statutes 1980, Section 390.17.

Mr. Sieloff moved to amend H. F. No. 515 as follows:

Page 1, after line 6, insert:

"Section 1. Minnesota Statutes 1980, Section 260.031, Subdivision 1, is amended to read:

Subdivision 1. The judge of the juvenile court may appoint one or more suitable persons to act as referees if the office of referee is abolished. No vacancy in the office of referee shall be filled, nor new office created. Persons holding the office of referee on June 30, 1980, in the second and June 30, 1977, in the fourth judicial district may continue to serve at the pleasure of the chief judge of the district under the terms and conditions of their appointment. All referees are subject to the administrative authority and assignment power of the chief judge of the district as provided in section 484.69, subdivision 3, and are not limited to assignment to juvenile court. These Referees shall be qualified for their duties by their previous training and experience and shall hold office at the pleasure of the judge. The compensation of a referee shall be fixed by the judge and, approved by the county board and shall be payable from the general revenue funds of the county not otherwise appropriated. Part time referees holding office in the second judicial district pursuant to this subdivision shall cease to hold office on July 31, 1984."

Page 1, after line 20, insert:

"Sec. 3. Minnesota Statutes 1980, Section 484.70, Subdivision 1, is amended to read:

Subdivision 1. *The office of referee is abolished. No vacancy in the office of referee, including family, juvenile, probate, and special term referees, shall be filled, nor new office created.* Persons holding the office of referee full time on June 30, 1977 1980, in the second, and June 30, 1978, in the fourth and sixth judicial districts district may continue to serve at the pleasure of the chief judge of the district under the terms and conditions of their appointment. All referees are subject to the administrative authority and assignment power of the chief judge of the district as provided in section 484.69, subdivision 3, and are not limited to assignment to family or, probate, juvenile or special term court. Part time referees holding office in the second judicial district pursuant to this subdivision shall cease to hold office on July 31, 1984.

Sec. 4. Minnesota Statutes 1980, Section 484.70, is amended by adding a subdivision to read:

Subd. 6. No referee may hear a contested trial, hearing, motion or petition if a party or attorney for a party objects in writing to the assignment of a referee to hear the matter. The court shall by rule, specify the time within which an objection must be filed.

Sec. 5. Minnesota Statutes 1980, Section 484.70, is amended by adding a subdivision to read:

Subd. 7. The duties and powers of referees shall be as follows:

(a) Hear and report all matters assigned by the chief judge.

(b) Recommend findings of fact, conclusions of law, temporary and interim orders, and final orders for judgment.

(c) All recommended orders and findings of a referee shall be subject to confirmation by a judge. Review of any recommended order or finding of a referee by a judge may be by notice served and filed within ten days of effective notice of the recommended order or finding. The notice of review shall specify the grounds for review and the specific provisions of the recommended findings or orders disputed, and the court, upon receipt of a notice of review, shall set a

time and place for a review hearing.

(d) Upon the conclusion of the hearing in each case, the referee shall transmit to a judge the court file together with recommended findings and orders in writing. The recommended findings and orders of a referee become the findings and orders of the court when confirmed by a judge. The order of the court shall be proof of such confirmation, and also of the fact that the matter was duly referred to the referees.

Sec. 6. Minnesota Statutes 1980, Section 525.10, is amended to read:

525.10 [REFEREE; APPOINTMENT; BOND; OFFICE ABOLISHED.]

Subdivision 1. [OFFICE ABOLISHED.] The office of referee is abolished. No vacancy in the office of referee shall be filled, nor new office created.

Subd. 2. [INCUMBENTS.] Persons holding the office of referee on June 30, 1980, in the second and August 15, 1980, in the fourth judicial district may continue to serve at the pleasure of the chief judge of the district under the terms and conditions of their appointment. All referees are subject to the administrative authority and assignment power of the chief judge of the district as provided in section 484.69, subdivision 3, and are not limited to assignment to probate court. All referees are subject to the provisions of section 484.70. Part time referees holding office in the second judicial district pursuant to this subdivision shall cease to hold office on July 31, 1984.

Subd. 3. [REFEREES.] The judges of the probate court in Hennepin and Ramsey counties may appoint one or more referees. Each referee in probate who court shall be a resident of such county and an attorney at law duly admitted in this state. He shall hold office during the pleasure of the judge appointing him. Such The appointment shall be in writing and filed in such the court. Before entering upon the duties of his office, he shall execute a bond to the state in the amount of \$1,000 approved by the county board and conditioned upon the faithful discharge of his duties. Such bond with the oath of the appointee shall be recorded in the office of the county recorder. The premiums on such bond and the expenses of such recording and filing shall be paid by the county. An action may be maintained on such bond by any person aggrieved by the violation of the conditions thereof. The referee has the power to take acknowledgments and administer oaths.

Sec. 7. [REPEALER.]

Minnesota Statutes 1980, Sections 484.67; and 484.70, Subdivisions 2, 3, 4 and 5; are repealed."

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 2, before the semicolon, insert "and court referees"

Page 1, line 3, after the semicolon, insert "prescribing the duties of court referees; continuing and abolishing certain referee positions;"

Page 1, line 4, delete "Section" and insert "Sections"

Page 1, line 4, before "390.17" insert "260.031, Subdivision 1;"

Page 1, line 4, before the period, insert "; 484.70, Subdivision 1 and by

adding subdivisions; and 525.10; repealing Minnesota Statutes 1980, Sections 484.67; and 484.70, Subdivisions 2, 3, 4 and 5''

The motion prevailed. So the amendment was adopted.

H. F. No. 515 was read the third time, as amended, and placed on its final passage.

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

The roll was called, and there were yeas 46 and nays 8, as follows:

Those who voted in the affirmative were:

Ashbach	Davis	Knutson	Penny	Solon
Bang	Dicklich	Kroening	Peterson, R. W.	Spear
Belanger	Dieterich	Kronebusch	Petty	Stokowski
Benson	Engler	Langseth	Pillsbury	Stumpf
Berglin	Frederick	Lessard	Ramstad	Tennesen
Bernhagen	Frederickson	Lindgren	Renneke	Ulland
Brataas	Humphrey	Luther	Rued	
Chmielewski	Johnson	Moe, D. M.	Schmitz	
Dahl	Keefe	Moe, R. D.	Setzepfandt	
Davies	Knoll	Nelson	Sieloff	

Those who voted in the negative were:

Berg	Frank	Olhoft	Peterson, C. C.	Willet
Bertram	Merriam	Pehler		

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

CONFERENCE COMMITTEE EXCUSED

Pursuant to Rule 21, Mr. Penny moved that the following members be excused for a Conference Committee on H. F. No. 487 from 3:00 to 4:00 p.m.:

Messrs. Penny, Stumpf and Willet. 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.

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. 604: Mrs. Stokowski, Mr. Renneke and Mrs. Lantry.

H. F. No. 697: Messrs. Hanson, Dahl and Peterson, D.L.

H. F. No. 678: Messrs. Schmitz, Stumpf and Pillsbury.

S. F. No. 886: Messrs. Stern, Benson and Dicklich.

S. F. No. 964: Ms. Berglin; Messrs. Moe, D.M. and Frederickson.

H. F. No. 356: Messrs. Luther, Davies and Keefe.

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 revert to the Order of Business of Messages From the House. The motion prevailed.

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. 2: A bill for an act relating to the Mississippi River headwaters area; establishing a joint board of counties to prepare, adopt and implement a comprehensive land use plan for the Mississippi River headwaters area; imposing a temporary moratorium on the use of certain lands subject to city land use controls; proposing new law coded as Minnesota Statutes, Chapter 114B.

Senate File No. 2 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned May 14, 1981

CONCURRENCE AND REPASSAGE

Mr. Lessard moved that the Senate concur in the amendments by the House to S. F. No. 2 and that the bill be placed on its repassage as amended. The motion prevailed.

S.F. No. 2 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 57 and nays 0, as follows:

Those who voted in the affirmative were:

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

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. 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.

Senate File No. 440 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned May 13, 1981

CONCURRENCE AND REPASSAGE

Mr. Lessard moved that the Senate concur in the amendments by the House to S. F. No. 440 and that the bill be placed on its repassage as amended. The motion prevailed.

S. F. No. 440 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 57 and nays 1, as follows:

Those who voted in the affirmative were:

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

Mr. Berg 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. 525: A bill for an act relating to advertising devices; requiring compensation for removing certain devices; providing for maintenance of areas; amending Minnesota Statutes 1980, Section 173.17; proposing new law coded in Minnesota Statutes, Chapter 173.

Senate File No. 525 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned May 14, 1981

CONCURRENCE AND REPASSAGE

Mr. Schmitz moved that the Senate concur in the amendments by the House to S. F. No. 525 and that the bill be placed on its repassage as amended. The motion prevailed.

S. F. No. 525: A bill for an act relating to advertising devices; requiring compensation for removing certain devices; providing for maintenance of areas; increasing certain fees for outdoor advertising permits; requiring recommendations to the legislature for a comprehensive directional signing program; amending Minnesota Statutes 1980, Sections 173.13, and 173.17; proposing new law coded in Minnesota Statutes, Chapter 173.

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

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

The roll was called, and there were yeas 46 and nays 15, as follows:

Those who voted in the affirmative were:

Ashbach	Frederick	Kronebusch	Peterson, C.C.	Stern
Bang	Frederickson	Langseth	Pillsbury	Taylor
Belanger	Hanson	Lantry	Purfeerst	Ulland
Benson	Hughes	Lessard	Ramstad	Vega
Berg	Humphrey	Luther	Renneke	Waldorf
Bernhagen	Johnson	Menning	Rued	Willet
Bertram	Keefe	Moe, R. D.	Schmitz	
Brataas	Knoll	Nelson	Setzepfandt	
Chmielewski	Knutson	Olhoft	Sieloff	
Engler	Kroening	Penny	Solon	

Those who voted in the negative were:

Berglin	Davis	Frank	Moe, D. M.	Petty
Dahl	Dicklich	Lindgren	Pehler	Stokowski
Davies	Dieterich	Merriam	Peterson, R.W.	Tennessee

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

CONFERENCE COMMITTEE EXCUSED

Pursuant to Rule 21, Mr. Menning moved that the following members be excused for a Conference Committee on H. F. No. 1434 at 5:00 p.m.:

Messrs. Menning, Purfeerst, Renneke, Stumpf and Pillsbury. The motion prevailed.

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. 767: A bill for an act relating to counties; providing for publication of certain financial information; proposing new law coded in Minnesota Statutes, Chapter 375; repealing Minnesota Statutes 1980, Section 375.17.

Senate File No. 767 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned May 14, 1981

CONCURRENCE AND REPASSAGE

Mr. Dicklich moved that the Senate concur in the amendments by the House to S. F. No. 767 and that the bill be placed on its repassage as amended.

Mr. Merriam moved that the Senate do not concur in the amendments by the House to S. F. No. 767, 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 did not prevail.

Mr. Dicklich moved that S. F. No. 767 be laid on the table. The motion prevailed.

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. 818: A bill for an act relating to game and fish; increasing the amount set aside from any increased deer license fees for deer habitat improvement; restricting the taking of bear to adult bear; amending Minnesota Statutes 1980, Sections 97.49, Subdivision 1a; and 100.27, Subdivision 2.

Senate File No. 818 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned May 14, 1981

Mr. Peterson, C.C. moved that the Senate do not concur in the amendments by the House to S. F. No. 818, 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 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. 1074: A bill for an act relating to natural resources; extending the permissible term of agricultural leases of state peat lands; amending Minnesota Statutes 1980, Section 92.50, Subdivision 1.

Senate File No. 1074 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned May 14, 1981

Mr. Merriam moved that S. F. No. 1074 be laid on the table. 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. 79 and repassed said bill in accordance with the report of the Committee, so adopted.

House File No. 79 is herewith transmitted to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted May 14, 1981

CONFERENCE COMMITTEE REPORT ON H. F. NO. 79

A bill for an act relating to commerce; providing for the regulation and licensing of precious metal dealers; establishing identification procedures and recording requirements; prohibiting certain transactions; providing for criminal and civil penalties; providing remedies; amending Minnesota Statutes 1980, Section 609.53, Subdivision 4, and by adding subdivisions; proposing new law coded in Minnesota Statutes, Chapter 325F.

May 12, 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. 79, report that we have agreed upon the items in dispute and recommend as follows:

That the Senate recede from its amendments and that H.F. No. 79 be further amended as follows:

Page 1, line 16, delete "*includes*" and insert "*means*"

Page 1, line 16, delete "*copartnership*" and insert "*partnership*"

Page 1, line 19, after "*candlesticks*," insert "*and*"

Page 1, line 20, delete the comma

Page 1, line 21, delete "*includes*" and insert "*means*"

Page 1, line 23, delete "*ITEMS*" and insert "*ITEM*"

Page 1, line 23, delete "*Items*" and insert "*Item*"

Page 1, line 24, delete "*items*" and insert "*an item*"

Page 1, line 25, delete "*, which contain*" and insert "*and containing*"

Page 2, line 7, after the comma, insert "*or estate sales or farm auctions held at the decedent's residence.*"

Page 2, delete lines 14 and 15

Page 2, line 23, delete "*where*" and insert "*in which*"

Page 2, line 29, after "*with*" insert "*the requirements of*"

Page 2, line 29, delete "*through*" and insert "*to*"

Page 2, delete lines 30 to 33 and insert:

“(8) Transactions between licensed metal dealers if both dealers are licensed under section 3 or if the dealer’s business is located outside of the state and the item is shipped from outside the state to a dealer licensed under section 3.

(9) Transactions in which the buyer of the secondhand item containing precious metal is engaged primarily in the business of buying and selling antiques, and the items are resold in an unaltered condition except for repair, and the items are resold at retail, and the buyer paid less than \$2,500 for secondhand items containing precious metals purchased within any period of 12 consecutive months.”

Renumber the clauses in sequence

Page 3, line 5, after the comma insert “and locations of the”

Page 3, line 12, delete “copartnership” and insert “partnership”

Page 3, line 13, after the period insert “Each application shall be kept by the auditor for a period of no less than three years and shall be available for inspection only by employees of the county auditor, the county attorney, the attorney general, or by a peace officer.”

Page 4, line 7, after the first period insert “The book shall contain the same information as required on the application for the license; provided, that the applicant’s resident address and date of birth shall not be recorded.”

Page 4, line 28, delete “or purchasing”

Page 5, line 20, delete “this section” and insert “section 10”

Page 5, line 33, delete “MUNICIPALITIES” and insert “GOVERNMENTAL SUBDIVISIONS”

Page 5, line 36, delete “city or other municipal corporation or”

Page 6, line 2, delete “the municipality” and insert “its jurisdiction in a manner more restrictive than sections 1 to 17; provided, that transactions described in section 2, subdivision 2, shall not be regulated in a manner inconsistent with sections 1 to 17”

Page 7, line 17, delete “15 and” and insert “14 to”

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

House Conferees: (Signed) Lawrence J. Pogemiller, Robert E. Vanasek, Kathleen A. Blatz

Senate Conferees: (Signed) Eric D. Petty, Clarence M. Purfeerst, James Ulland

Mr. Petty moved that the foregoing recommendations and Conference Committee Report on H. F. No. 79 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. 79 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 56 and nays 0, as follows:

Those who voted in the affirmative were:

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

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

MOTIONS AND RESOLUTIONS - CONTINUED

Mr. Davies moved that S. F. No. 72 be taken from the table. The motion prevailed.

CONCURRENCE AND REPASSAGE

Mr. Davies moved that the Senate concur in the amendments by the House to S. F. No. 72 and that the bill be placed on its repassage as amended. The motion prevailed.

S. F. No. 72: A bill for an act relating to elections; providing a penalty for preparing or disseminating certain false information; exempting certain broadcasters; amending Minnesota Statutes 1980, Section 210A.04.

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 54 and nays 0, as follows:

Those who voted in the affirmative were:

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

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

MOTIONS AND RESOLUTIONS - CONTINUED

Mr. Dicklich moved that S. F. No. 767 be taken from the table. The motion

prevailed.

CONCURRENCE AND REPASSAGE

Mr. Dicklich moved that the Senate concur in the amendments by the House to S. F. No. 767 and that the bill be placed on its repassage as amended. The motion prevailed.

S. F. No. 767: A bill for an act relating to counties; providing for publication of certain salary and expense information; amending Minnesota Statutes 1980, Section 375.17.

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 51 and nays 1, as follows:

Those who voted in the affirmative were:

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

Mr. Chmielewski voted in the negative.

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

MOTIONS AND RESOLUTIONS - CONTINUED

Mr. Merriam moved that S. F. No. 1074 be taken from the table. The motion prevailed.

CONCURRENCE AND REPASSAGE

Mr. Merriam moved that the Senate concur in the amendments by the House to S. F. No. 1074 and that the bill be placed on its repassage as amended. The motion prevailed.

S. F. No. 1074: A bill for an act relating to natural resources; extending the permissible term of agricultural leases of state peat lands; providing that certain lands may be sold; authorizing an easement on certain lands; amending Minnesota Statutes 1980, Section 92.50, Subdivision 1.

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 54 and nays 0, as follows:

Those who voted in the affirmative were:

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

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

MOTIONS AND RESOLUTIONS - CONTINUED

S. F. No. 694 and the Conference Committee Report thereon were reported to the Senate.

CONFERENCE COMMITTEE REPORT ON 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.

May 13, 1981

The Honorable Jack Davies
President of the Senate

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

We, the undersigned conferees for S. F. No. 694, report that we have agreed upon the items in dispute and recommend as follows:

That the Senate accede to the amendments of the House and that S.F. No. 694 be further amended as follows:

Page 6, line 27, after the period, insert "*No person shall install a manufactured home in a manufactured home park as defined in section 327.14, subdivision 3, which is located within a governmental subdivision which has enacted an ordinance requiring that manufactured homes within its jurisdiction be secured by an anchoring system, unless the manufactured home is secured by an anchoring system which complies with the commissioner's rules.*"

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

Senate Conferees: (Signed) Irving M. Stern, Howard A. Knutson, Marion Menning

House Conferees: (Signed) Tom Rees, Gordon O. Voss, David B. Gruenes

Mr. Stern moved that the foregoing recommendations and Conference Committee Report on S. F. No. 694 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.

S. F. No. 694 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 43 and nays 10, as follows:

Those who voted in the affirmative were:

Ashbach	Dieterich	Kroening	Olhoft	Stern
Bang	Frank	Langseth	Pehler	Stokowski
Belanger	Frederick	Lantry	Petty	Taylor
Benson	Frederickson	Lessard	Ramstad	Tennessee
Berg	Hanson	Lindgren	Schmitz	Ulland
Brataas	Hughes	Luther	Setzepfandt	Vega
Dahl	Humphrey	Merriam	Sieloff	Waldorf
Davies	Keefe	Moe, R. D.	Solon	
Davis	Knoll	Nelson	Spear	

Those who voted in the negative were:

Bernhagen	Chmielewski	Kronebusch	Peterson, C.C.	Rued
Bertram	Engler	Penny	Peterson, D.L.	Willet

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

MOTIONS AND RESOLUTIONS - CONTINUED

Mr. Moe, R.D. moved that H. F. No. 1253 be withdrawn from the Committee on Governmental Operations and re-referred to the Committee on Rules and Administration for comparison with S. F. No. 1095, now on General Orders. The motion prevailed.

Mr. Stern introduced—

Senate Resolution No. 61: A Senate resolution extending congratulations to Belvin and Louise Anderson upon their 65th wedding anniversary.

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.

Mr. Moe, D.M. introduced—

S.F. No. 1435: A bill for an act relating to metropolitan government; giving the metropolitan transit commission power to regulate the operation of taxicabs within the seven county metropolitan area; amending Minnesota Statutes 1980, Section 473.405, Subdivision 1; proposing new law coded in Minnesota Stat-

utes, Chapter 473.

Referred to the Committee on Transportation.

Messrs. Petty; Peterson, R.W.; Setzepfandt; Ulland and Sieloff introduced—

S.F. No. 1436: A bill for an act relating to municipal housing programs; providing that a city that has enacted a general system of residential rent control may not use certain authority granted regarding multifamily housing developments; amending Minnesota Statutes 1980, Section 462C.05, Subdivision 1.

Referred to the Committee on Local Government and Urban Affairs. Mr. Humphrey questioned the reference thereon and, under Rule 35, the bill was referred to the Committee on Rules and Administration.

Mr. Dahl introduced—

S.F. No. 1437: A bill for an act relating to the city of White Bear Lake; permitting a property tax for park purposes.

Referred to the Committee on Local Government and Urban Affairs.

Messrs. Dahl; Humphrey; Moe, R.D.; Willet and Ashbach introduced—

S.F. No. 1438: A bill for an act relating to energy; establishing a state energy fund within the housing finance agency; authorizing issuance of bonds and notes to finance energy conservation measures; amending Minnesota Statutes 1980, Section 11A.24, by adding a subdivision; proposing new law coded in Minnesota Statutes, Chapter 462A.

Referred to the Committee on Energy and Housing.

MOTIONS AND RESOLUTIONS - CONTINUED

Mr. Nelson moved that H. F. No. 766 be taken from the table. The motion prevailed.

CALL OF THE SENATE

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

SUSPENSION OF RULES

Mr. Nelson moved that an urgency be declared within the meaning of Article IV, Section 19, of the Constitution of Minnesota, with respect to H. F. No. 766 and that the rules of the Senate be so far suspended as to give H. F. No. 766 its second and third reading and place it on its final passage. The motion prevailed.

H. F. No. 766 was read the second time.

Mr. Tennesen moved that his name be stricken as co-author to S. F. No. 756. The motion prevailed.

CALL OF THE SENATE

Mr. Nelson imposed a call of the Senate for the balance of the proceedings on H. F. No. 766. The Sergeant at Arms was instructed to bring in the absent members.

Mr. Dieterich moved to amend H.F. No. 766 as follows:

Page 6, after line 18, insert:

“Sec. 2. [158.051] [EXPENSES TO BE PAID SOLELY FROM REVENUES.]

The loan agreement made pursuant to section 1, subdivision 4, shall provide that the operating expenses of the hospital shall be funded solely from patient fees and other hospital revenues. No other revenues of the university shall be used to meet the operating expenses of the hospital.”

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 7, after “legislature;” insert “prohibiting the use of certain funds by the hospital;”

Page 1, line 7, after “money” insert “; proposing new law coded in Minnesota Statutes, Chapter 158”

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 16 and nays 43, as follows:

Those who voted in the affirmative were:

Berg	Langseth	Merriam	Peterson, D.L.	Stumpf
Berglin	Luther	Olhoft	Peterson, R.W.	Tennessee
Davies	Menning	Pehler	Spear	Waldorf
Dieterich				

Those who voted in the negative were:

Ashbach	Engler	Kroening	Petty	Solon
Bang	Frank	Kronebusch	Pillsbury	Stern
Belanger	Frederick	Lantry	Purfeerst	Stokowski
Bernhagen	Frederickson	Lessard	Ramstad	Taylor
Bertram	Humphrey	Lindgren	Renneke	Ulland
Brataas	Johnson	Moe, D. M.	Rued	Vega
Dahl	Kcefe	Moe, R. D.	Schmitz	Willer
Davis	Knoll	Nelson	Setzepfandt	
Dicklich	Knutson	Peterson, C.C.	Sikorski	

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

Mr. Dieterich then moved to amend H.F. No. 766 as follows:

Page 5, line 33, delete “520” and insert “325”

Page 5, line 36, delete “520” and insert “325”

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 18 and nays 42, as follows:

Those who voted in the affirmative were:

Berg	Knoll	Pehler	Schmitz	Waldorf
Bertram	Luther	Penny	Spear	Willer
Davies	Menning	Peterson, D.L.	Taylor	
Dieterich	Olhoft	Ramstad	Tennessee	

Those who voted in the negative were:

Ashbach	Engler	Kroening	Nelson	Solon
Bang	Frank	Kronebusch	Peterson, C. C.	Stern
Belanger	Frederick	Langseth	Peterson, R. W.	Stokowski
Benson	Frederickson	Lantry	Petty	Stumpf
Bernhagen	Hanson	Lessard	Pillsbury	Ulland
Brataas	Humphrey	Lindgren	Purfeerst	Vega
Chmielewski	Johnson	Merriam	Renneke	
Davis	Keefe	Moe, D. M.	Rued	
Dicklich	Knutson	Moe, R. D.	Setzepfandt	

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

Mr. Tennesen moved that H. F. No. 766 be referred to the Committee on Finance.

The question was taken on the adoption of the motion.

The roll was called, and there were yeas 21 and nays 37, as follows:

Those who voted in the affirmative were:

Benson	Dieterich	Menning	Ramstad	Waldorf
Berg	Frederickson	Olhoft	Schmitz	
Bertram	Kronebusch	Pehler	Spear	
Davis	Lindgren	Peterson, D. L.	Stumpf	
Davis	Luther	Purfeerst	Tennesen	

Those who voted in the negative were:

Ashbach	Frank	Langseth	Peterson, C. C.	Stokowski
Bang	Frederick	Lantry	Peterson, R. W.	Taylor
Belanger	Hanson	Lessard	Petty	Ulland
Bernhagen	Johnson	Merriam	Pillsbury	Vega
Brataas	Keefe	Moe, D. M.	Renneke	Willet
Chmielewski	Knoll	Moe, R. D.	Rued	
Dicklich	Knutson	Nelson	Setzepfandt	
Engler	Kroening	Penny	Stern	

The motion did not prevail.

CONFERENCE COMMITTEE EXCUSED

Pursuant to Rule 21, Mr. Johnson moved that the following members be excused for a Conference Committee on H. F. No. 1445 at 7:45 p.m.:

Messrs. Johnson; Hanson; Peterson, C. C.; Ms. Berglin and Mr. Pehler. The motion prevailed.

Mr. Dieterich moved to amend H.F. No. 766 as follows:

Page 5, line 33, delete "520" and insert "436"

Page 5, line 36, delete "520" and insert "436"

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 24 and nays 30, as follows:

Those who voted in the affirmative were:

Benson	Davis	Menning	Purfeerst	Tennesen
Berg	Davis	Olhoft	Ramstad	Vega
Berglin	Dieterich	Penny	Schmitz	Waldorf
Bertram	Knoll	Peterson, D. L.	Spear	Willet
Chmielewski	Luther	Petty	Taylor	

Those who voted in the negative were:

Ashbach	Frank	Kroening	Merriam	Rued
Bang	Frederick	Kronebusch	Moe, R. D.	Setzpfandt
Bernhagen	Frederickson	Langseth	Nelson	Stern
Dahl	Hanson	Lantry	Peterson, R. W.	Stokowski
Dicklich	Humphrey	Lessard	Pillsbury	Stumpf
Engler	Keefe	Lindgren	Renneke	Ulland

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

H. F. No. 766 was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

Mr. Moe, R. D. moved that those not voting be excused from voting. The motion prevailed.

The roll was called, and there were yeas 44 and nays 17, as follows:

Those who voted in the affirmative were:

Ashbach	Frank	Langseth	Penny	Sikorski
Bernhagen	Frederick	Lantry	Peterson, C.C.	Solon
Bertram	Hanson	Lessard	Peterson, R.W.	Stern
Brataas	Humphrey	Lindgren	Petty	Stokowski
Chmielewski	Johnson	Merriam	Pillsbury	Taylor
Dahl	Keefe	Moe, D. M.	Purfeerst	Ulland
Davis	Knoll	Moe, R. D.	Renneke	Vega
Dicklich	Knutson	Nelson	Rued	Willet
Engler	Kroening	Pehler	Setzpfandt	

Those who voted in the negative were:

Bang	Dieterich	Menning	Schmitz	Waldorf
Benson	Frederickson	Olhoft	Spear	
Berg	Kronebusch	Peterson, D.L.	Stumpf	
Davies	Luther	Ramstad	Tennessee	

So the bill passed and its title was agreed to.

Mr. Nelson moved that S. F. No. 756 be stricken from General Orders and laid on the table. The motion prevailed.

MEMBERS EXCUSED

Mr. Belanger was excused from the Session of today at 7:45 p.m. Mr. Hughes was excused from the Session of today at 6:30 p.m. Mr. Sieloff was excused from the Session of today at 7:00 p.m.

CONFERENCE COMMITTEE EXCUSED

Pursuant to Rule 21, Mr. Purfeerst moved that the following members be excused for a Conference Committee on H. F. No. 553 from 1:00 to 5:00 p.m.:

Messrs. Purfeerst, Stern and Mrs. Lantry. The motion prevailed.

RECONSIDERATION

Mr. Menning moved that the vote whereby H. F. No. 353 failed to pass the Senate on May 12, 1981, be now reconsidered.

MOTIONS AND RESOLUTIONS - CONTINUED

Mr. Moe, R.D. moved that the Senate do now adjourn until 11:00 a.m., Friday, May 15, 1981. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate