

SIXTY-EIGHTH DAY

St. Paul, Minnesota, Thursday, February 4, 1982

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

CALL OF THE SENATE

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

Prayer was offered by the Chaplain, Rabbi Arnold Goodman.

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

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

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. Lessard, Penny and Stumpf were excused from the Session of today. Mr. Menning was excused from the Session of today at 11:30 a. m.

EXECUTIVE AND OFFICIAL COMMUNICATIONS

The following communications were received and referred to the committees indicated.

May 6, 1981

The Honorable Jack Davies
President of the Senate

Dear Sir:

The following appointments to the Council on Quality Education are hereby respectfully submitted to the Senate for confirmation as required by law:

Anna F. Barker, 8129 Hemingway Avenue South, Cottage Grove, Washington County, has been appointed by me, effective May 6, 1981, for a term expiring the first Monday in January, 1985.

Moirra Boyne Rummel, 4105 Linden Hills Blvd., Minneapolis, Hennepin County, has been appointed by me, effective May 6, 1981, for a term expiring the first Monday in January, 1985.

(Referred to the Committee on Education.)

May 6, 1981

The Honorable Jack Davies
President of the Senate

Dear Sir:

The following appointments to the Minnesota Higher Education Facilities Authority are hereby respectfully submitted to the Senate for confirmation as required by law:

Peter H. Seed, 7923 Jamaca Avenue North, Stillwater, Washington County, has been appointed by me, effective May 6, 1981, for a term expiring the first Monday in January, 1982.

Leonard J. Rogge, 2237 Riverwood Place, St. Paul, Ramsey County, has been appointed by me, effective May 6, 1981, for a term expiring the first Monday in January, 1984.

Herbert M. Stellner, Jr., 208 2nd Avenue N.W., Kasson, Dodge County, has been appointed by me, effective May 6, 1981, for a term expiring the first Monday in January, 1984.

(Referred to the Committee on Education.)

July 10, 1981

The Honorable Jack Davies
President of the Senate

Dear Sir:

The following appointment as Commissioner of the Department of Labor and Industry is hereby respectfully submitted to the Senate for confirmation as required by law:

Russell Bruce Swanson, 995 Cliff Road, Eagan, Dakota County, has been appointed by me, effective July 11, 1981, for a term expiring the first Monday in January, 1983.

(Referred to the Committee on Employment.)

Sincerely,

Albert H. Quie, Governor

January 29, 1982

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. No. 1150.

Sincerely,
Albert H. Quie, Governor

January 29, 1982

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 1982 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 1982	Date Filed 1982
1150		371	January 29	January 29
	1693	Resolution 4	January 29	January 29

Sincerely,
Joan Anderson Growe
Secretary of State

MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to announce the passage by the House of the following House Files, herewith transmitted: H.F. Nos. 1550, 1574 and 1614.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted February 1, 1982

FIRST READING OF HOUSE BILLS

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

H.F. No. 1550: A bill for an act relating to the city of Big Falls; authorizing the establishment of detached banking facilities.

Referred to the Committee on Commerce.

H.F. No. 1574: A bill for an act relating to Independent School District No. 084, Sleepy Eye; requiring revision of its certified statutory operating debt.

Referred to the Committee on Education.

H.F. No. 1614: A bill for an act relating to Independent School District No. 708; requiring certification of statutory operating debt.

Referred to the Committee on Education.

REPORTS OF COMMITTEES

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

adopted. The motion prevailed.

Mr. Spear from the Committee on Public Employees and Pensions, to which was referred

S.F. No. 786: A bill for an act relating to retirement; volunteer firefighters relief associations; authorizing relief associations to increase retirement benefit and service pension amounts without municipal ratification in certain instances; amending Minnesota Statutes 1980, Sections 69.772, Subdivision 6; 69.773, Subdivision 6; and 424A.02, Subdivision 10.

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

Page 1, line 14, delete "*provides*" and insert "*is required to provide*"

Page 1, line 15, after "*association*" insert "*pursuant to this section*"

Page 1, line 27, delete "*does*" and insert "*is*" and after "*not*" insert "*required to*"

Page 2, line 1, after the first "*association*" insert "*pursuant to this section*"

Page 2, line 13, after the period, insert "*If a relief association adopts or amends its articles of incorporation or bylaws without municipal ratification pursuant to this subdivision, and, subsequent to the amendment or adoption, the financial requirements of the special fund of the relief association pursuant to this section are such so as to require financial support from the municipality, the provision which was implemented without municipal ratification shall no longer be effective without municipal ratification and any service pensions or retirement benefits payable after that date shall be paid only in accordance with the articles of incorporation or bylaws as amended or adopted with municipal ratification.*"

Page 2, line 17, delete "*provides*" and insert "*is required to provide*"

Page 2, line 18, after "*association*" insert "*pursuant to this section*"

Page 2, line 26, delete "*does*" and insert "*is*" and after "*not*" insert "*required to*"

Page 2, line 27, after the first "*association*" insert "*pursuant to this section*"

Page 3, line 3, after the period, insert "*If a relief association adopts or amends its articles of incorporation or bylaws without municipal ratification pursuant to this subdivision, and, subsequent to the amendment or adoption, the financial requirements of the special fund of the relief association pursuant to this section are such so as to require financial support from the municipality, the provision which was implemented without municipal ratification shall no longer be effective without municipal ratification and any service pensions or retirement benefits payable after that date shall be paid only in accordance with the articles of incorporation or bylaws as amended or adopted with municipal ratification.*"

Page 3, line 22, delete "*provides*" and insert "*is required to provide*"

Page 3, line 23, after "*association*" insert "*pursuant to section 69.772 or*

69.773"

Page 4, line 5, delete "does" and insert "is" and after "not" insert "required to"

Page 4, line 6; after "association" insert "pursuant to this section"

Page 4, line 23, after the period, insert "If a relief association adopts or amends its articles of incorporation or bylaws without municipal ratification pursuant to this subdivision, and, subsequent to the amendment or adoption, the financial requirements of the special fund of the relief association pursuant to this section are such so as to require financial support from the municipality, the provision which was implemented without municipal ratification shall no longer be effective without municipal ratification and any service pensions or retirement benefits payable after that date shall be paid only in accordance with the articles of incorporation or bylaws as amended or adopted with municipal ratification."

Page 4, line 25, delete "1981" and insert "1982"

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

Mr. Spear from the Committee on Public Employees and Pensions, to which was referred.

S.F. No. 787: A bill for an act relating to retirement; volunteer firefighters relief associations; financing and benefit amounts; amending Minnesota Statutes 1980, Sections 69.772, Subdivision 2a; 424.01; 424.02; 424.04; 424.16; 424.17; and 424A.02, Subdivisions 3, 7 and 9.

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

Pages 1 and 2, delete section 1 and insert:

"Section 1. Minnesota Statutes 1981 Supplement, Section 69.772, Subdivision 2a, is amended to read:

Subd. 2a. [DETERMINATION OF ACCRUED LIABILITY FOR RECIPIENTS OF INSTALLMENT PAYMENTS.] Each firefighters' relief association which pays a lump sum service pension in installment payments to a retired firefighter pursuant to section 424A.02, subdivision 8, shall determine the accrued liability of the special fund of the firefighters' relief association relative to each retired member receiving a lump sum service pension in installment payments calculated individually as the sum of each future installment payment discounted at an interest rate of five percent, compounded annually, from the date the installment payment is scheduled to be paid to December 31. *If the bylaws of the relief association provide for the payment of interest on unpaid installments, the amount of interest, projected to December 31, shall be added to the accrued liability attributable to each retired member.* The sum of the accrued liability attributable to each retired member of the relief association receiving a lump sum service pension in installment payments shall be the total additional accrued liability of the special fund of the relief association as of December 31, and shall be added to the accrued liability of the special fund of the relief association calculated pursuant to subdivision 2 for purposes of calculating the financial requirements of the relief association and the min-

imum obligation of the municipality pursuant to subdivision 3.

To the extent that the commissioner of insurance deems it to be necessary or practical, the commissioner may specify and issue procedures, forms or mathematical tables for use in performing the calculations required pursuant to this subdivision." issue procedures, forms or mathematical tables for use in performing the calculations required pursuant to this subdivision."

Page 2, line 14, after "firefighters" insert "*who are eligible for membership in the relief association pursuant to law*" and strike "each" and insert "a"

Page 3, line 5, strike "he" and insert "*the person*"

Page 3, line 7, strike "he" and insert "*the person*"

Page 3, line 17, after "No" insert "*paid*"

Page 3, line 18, strike "his" and insert "*the*" and after "application" insert "*of the person*"

Page 3, line 34, after the period, insert "*No volunteer firefighter who is more than 35 years of age when appointed to serve in any capacity performing any firefighting duties with a fire department shall become a member of the relief association, except that this age limitation shall not apply on any application for reinstatement in the association.*"

Page 4, line 36, strike "such" and insert "*the*"

Page 5, line 25, strike "such" and insert "*the*"

Page 6, line 16, after "department" insert "*is*"

Page 6, line 18, strike "such" and insert "*the*"

Page 6, line 21, strike "such" and insert "*the*"

Page 6, line 30, strike "such" and insert "*the*" and strike "said" and insert "*the*"

Page 6, line 32, strike "said" and insert "*the*"

Page 6, line 33, strike "such" and insert "*the*"

Page 8, line 6, strike "38" and insert "37"

Page 8, line 7, strike "74" and insert "75"

Page 8, line 10, strike "196" and insert "186"

Page 8, line 11, strike "223" and insert "224"

Page 8, line 14, strike "335" and insert "336"

Page 8, line 15, strike "372" and insert "373"

Page 8, line 16, strike "410" and insert "447"

Page 8, line 17, strike "447" and insert "522"

Page 8, line 18, strike "484" and insert "597"

Page 8, line 19, strike "521" and insert "671"

Page 8, line 20, strike "558" and insert "746"

Page 8, line 21, strike "595" and insert "820"

Page 8, line 22, strike "633" and insert "895"

Page 8, line 23, strike "670" and insert "969"

Page 8, line 24, strike "707" and insert "1044"

Page 8, line 25, strike "744" and insert "1119"

Page 8, line 26, delete "750 or more" and insert "1193" and delete "2 percent of" and insert "16.00"

Page 8, line 27, delete "average financing" and insert:

"1268	17.00
1342	18.00
1417	19.00
1491	20.00
1566	21.00
1640	22.00
1678 or more	22.50"

Page 10, line 10, delete "1,000 or more" and insert "1008" and delete "2.0833 percent of" and insert "2100"

Page 10, line 11, delete "average financing" and insert

"1056	2200
1104	2300
1152	2400
1200	2500
1248	2600
1296	2700
1344	2800
1392	2900
1440 or more	3000"

Page 12, line 30, delete "1981" and insert "1982"

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

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

H.F. No. 1612: A resolution memorializing the life and work of Sigurd F. Olson.

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

Page 1, line 15, delete "Opening" and insert "Open"

Page 1, line 15, before "and" insert " "The Hidden Forest," "Sigurd F. Olson's Wilderness Days," "

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

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

H.F. No. 1376: A bill for an act relating to appropriations; appropriating

funds to the public utilities commission for a report on natural gas rate averaging; directing the averaging of rates in a certain geographic area; proposing new law coded in Minnesota Statutes, Chapter 216B.

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

Mr. Wegener from the Committee on Local Government and Urban Affairs, to which was referred

S.F. No. 1497: A bill for an act relating to Carlton County; permitting the county to spend a certain sum for promotion of development.

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

Page 1, after line 9, insert:

“Sec. 2. [COOK COUNTY; DEVELOPMENT PROMOTION.]

The Cook County board may appropriate \$25,000 annually for the purposes of Minnesota Statutes, Section 395.08. This section supersedes the dollar limits provided by section 395.08.”

Page 1, line 11, before “This” insert “Section 1 of”

Page 1, line 13, after the period, insert “Section 2 of this act is effective the day after compliance with Minnesota Statutes, Section 645.021, Subdivision 3, by the governing body of Cook County.”

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 2, after “Carlton” delete “County” and insert “and Cook Counties”

Page 1, line 2, after “the” delete “county” and insert “counties”

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

Mr. Wegener from the Committee on Local Government and Urban Affairs, to which was referred

S.F. No. 1514: A bill for an act relating to public works; extending the availability of an appropriation to the city of Cloquet for the purpose of constructing a public water facility; repealing Third Special Session Laws 1981, Chapter 2, Article I, Section 76.

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

Mr. Spear from the Committee on Public Employees and Pensions, to which was referred

S.F. No. 1239: A bill for an act relating to the operation of state government; authorizing the state board of investment to employ investment management firms to invest certain funds on its behalf; appropriating money; amending Minnesota Statutes 1980, Section 11A.04.

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

adopted.

Mr. Tennesen from the Committee on Commerce, to which was referred

S.F. No. 1424: A bill for an act relating to insurance; regulating minimum nonforfeiture benefits and reserves of life insurance policies and annuity contracts; amending Minnesota Statutes 1980, Sections 61A.24, Subdivisions 2, 4, 6, 9, 10, 11, 12, 13, 14, and by adding subdivisions; and 61A.25, Subdivisions 3, 3a, 4, 5, 7, and by adding subdivisions.

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

Page 1, after line 10, insert:

“Section 1. Minnesota Statutes 1981 Supplement, Section 60C.03, Subdivision 8, is amended to read:

Subd. 8. “Insolvent insurer” means an insurer licensed to transact insurance in this state, either at the time the policy was issued, or when the insured event occurred, and against whom an order of liquidation with a finding of insolvency has been entered after ~~August 1, 1981~~ April 30, 1979 by a court of competent jurisdiction, in the insurer’s state of domicile or of this state, under the provisions of chapter 60B, and which order of liquidation has not been stayed or been the subject of a writ of supersedeas or other comparable order.

Sec. 2. Minnesota Statutes 1981 Supplement, Section 60C.09, Subdivision 1, is amended to read:

Subdivision 1. [DEFINITION.] A covered claim is any unpaid claim, including one for unearned premium, which:

(a) Arises out of and is within the coverage of an insurance policy issued by a member insurer if ~~such the~~ insurer becomes an insolvent insurer after ~~August 1, 1981~~ April 30, 1979;

(b) Arises out of a class of business which is not excepted from the scope of Laws 1971, Chapter 145 by section 60C.02; and

(c) Is made by:

(i) A policyholder, or an insured beneficiary under a policy, who, at the time of the insured event, was a resident of this state; or

(ii) A person designated in the policy as having an insurable interest in or related to property situated in this state at the time of the insured event; or

(iii) An obligee or creditor under any surety bond, who, at the time of default by the principal debtor or obligor, was a resident of this state; or

(iv) A third party claimant under a liability policy or surety bond, if: (a) the insured or the third party claimant was a resident of this state at the time of the insured event; (b) the claim is for bodily or personal injuries suffered in this state by a person who when he suffered the injuries was a resident of this state; or (c) the claim is for damages to real property situated in this state at the time of damage; or

(v) A direct or indirect assignee of a person who except for the assignment might have claimed under (i), (ii) or (iii).”

Page 1, line 22, strike “any” and insert “a”

- Page 2, lines 8, 11, and 21, strike "any" and insert "a"
- Page 2, line 28, delete "*policies*" and insert "*a policy*"
- Page 2, line 28, delete "*cause*" and insert "*causes*"
- Page 2, line 30, delete "*provide*" and insert "*provides*"
- Page 2, line 34, delete "*all*" and insert "*any*"
- Page 2, line 34, delete "*policies*" and insert "*policy*"
- Page 3, line 1, strike "together with" and insert "*and*"
- Page 4, line 2, strike "any" and insert "*the*"
- Page 4, line 4, strike "any" and insert "a"
- Page 4, line 5, after "3" insert a comma
- Page 4, lines 14 and 25, delete "*Any*" and insert "*For a*"
- Page 4, line 36, strike "*Any*" and insert "*The*"
- Page 4, line 36, at the end of the line, strike "any" and insert "a"
- Page 5, lines 1 and 12, strike "any" and insert "a"
- Page 5, line 2, strike "any" in both places and insert "a"
- Page 5, line 15, delete the first comma
- Page 5, line 15, strike "that" and insert a period
- Page 5, line 19, strike "be" and insert "is"
- Page 5, lines 31 and 32, strike "shall be" and insert "is"
- Page 6, line 8, delete the semicolon
- Page 6, line 8, strike "provided" and delete the comma
- Page 6, line 8, strike "that" and after the stricken "such" insert a period
- Page 6, line 10, strike "except that" and insert "*for policies issued prior to April 11, 1974.*"
- Page 6, line 12, strike the second "and" and insert a period
- Page 6, line 17, delete the semicolon
- Page 6, line 17, strike "and provided" and delete the comma
- Page 6, line 18, strike "that" and insert a period
- Page 6, line 21, strike "Provided,"
- Page 6, line 21, strike "that"
- Page 6, line 27, strike "any"
- Page 6, line 29, strike "as may be"
- Page 7, lines 8 and 12, strike "any"
- Page 7, line 14, strike "as may be"
- Page 7, line 25, delete the semicolon and insert a period

Page 7, line 25, strike "provided"

Page 7, line 25, delete the comma and strike "that"

Page 7, line 27, strike ", except that," and insert "for policies issued prior to April 11, 1974."

Page 7, line 29, strike the second "and" and insert a period

Page 7, line 34, strike "Provided,"

Page 7, line 35, strike "however, that"

Page 8, line 3, strike "Provided, further,"

Page 8, line 4, strike "that"

Page 8, line 5, strike "any"

Page 8, line 6, strike "as may be"

Page 8, line 13, strike "any" and insert "a"

Page 8, line 27, delete "shall apply" and insert "applies"

Page 8, line 29, delete "any" and insert "a"

Page 9, lines 4 and 11, delete "be" and insert "is"

Page 9, line 7, delete the semicolon and insert a period

Page 9, line 8, delete "provided, however, that"

Page 9, line 14, delete "shall be" and insert "is"

Page 9, line 22, delete "policies" and insert "a policy"

Page 9, line 22, delete "cause" and insert "causes"

Page 9, line 24, delete "provide" and insert "provides"

Page 9, line 35, delete "any" and insert "a"

Page 11, line 12, after "shall" insert a colon

Page 11, lines 17 and 20, delete "shall"

Page 11, line 23, delete "; provided," and insert a period

Page 11, line 23, delete ", that"

Page 11, line 29, delete the first "any" and insert "a"

Page 11, line 35, delete "any" and insert "a"

Page 12, line 4, delete "any"

Page 12, lines 14 and 22, after the comma insert "including any"

Page 12, lines 16 and 24, delete "promulgated" and insert "adopted"

Page 12, lines 29 and 35, delete "any" and insert "a"

Page 13, lines 4 and 14, delete "any" and insert "a"

Page 13, line 22, delete "such as" and insert "likely"

Page 13, line 28, delete "promulgated" and insert "adopted"

- Page 13, line 31, strike "Any" and insert "A"
- Page 13, lines 32 and 33, strike "any" and insert "a"
- Page 14, line 22, after "section" insert a comma
- Page 14, line 23, strike "any"
- Page 14, line 28, strike "shall" and insert "do"
- Page 15, line 19, strike "which shall be"
- Page 15, line 30, delete "*shall apply*" and insert "*applies*"
- Page 15, line 32, delete "any" and insert "a"
- Page 15, line 35, delete "be" and insert "is"
- Page 17, line 12, delete "Any" and insert "The"
- Page 17, line 14, delete "any" and insert "a"
- Page 17, lines 18 and 19, delete "any"
- Page 18, line 27, after the comma insert "*including any*"
- Page 18, line 29, delete "*promulgated*" and insert "*adopted*"
- Page 19, lines 3 and 26, after the comma insert "*including any*"
- Page 19, lines 5 and 28, delete "*promulgated*" and insert "*adopted*"
- Page 20, line 4, after the comma insert "*including any*"
- Page 20, line 5, delete "*promulgated*" and insert "*adopted*"
- Page 21, line 5, after the comma insert "*including any*"
- Page 21, lines 6 and 17, delete "*promulgated*" and insert "*adopted*"
- Page 21, lines 15 and 35, after the second comma insert "*including any*"
- Page 22, line 1, delete "*promulgated*" and insert "*adopted*"
- Page 22, line 6, strike "any" and insert "a"
- Page 22, line 10, delete the semicolon and insert a period
- Page 22, line 10, strike "provided,"
- Page 23, line 29, delete the first "any"
- Page 23, line 29, delete the second "any" and insert "a"
- Page 28, line 22, delete "*National Association of Insurance Commissioners*" and insert "*commissioner*"
- Page 28, line 27, delete "*is adopted by the National*"
- Page 28, line 28, delete "*Association of Insurance Commissioners and*" and insert "*has been*"
- Page 28, line 29, delete "*promulgated*" and insert "*adopted*"
- Page 29, line 6, strike "any" and after the stricken "such" insert "a"
- Page 29, line 18, strike "provided, however, that" and before "the" insert "but"

Page 29, lines 25 and 32, delete "any" and insert "a"

Page 30, line 35, strike "In no event shall"

Page 31, line 2, after the second comma insert "shall not"

Page 31, line 11, strike "any" in both places and insert "a"

Page 31, line 12, strike "any" and insert "a"

Page 31, line 27, delete "; provided, that" and insert ". However,"

Page 31, line 27, delete "any" and insert "a"

Page 32, line 9, delete "any" and insert "a"

Page 32, line 10, after "annuity" insert "for"

Page 32, line 10, delete "is of a nature that"

Page 32, line 17, delete "promulgated" and insert "adopted"

Page 32, after line 17, insert:

"Sec. 22. [EFFECTIVE DATE.]

Sections 1 and 2 are effective the day after final enactment."

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 4, after the semicolon, insert "modifying the definitions of "insolvent insurer" and "covered claim" for purposes of the insurance guaranty association act;"

Page 1, line 6, after the semicolon, delete "and"

Page 1, line 8, after "subdivisions" insert "; Minnesota Statutes 1981 Supplement, Sections 60C.03, Subdivision 8; and 60C.09, Subdivision 1"

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

Mr. Tennessen from the Committee on Commerce, to which was referred

S.F. No. 832: A bill for an act relating to financial institutions; authorizing the establishment of certain branch banks by banks located in this state; providing for application and approval of branch banks; permitting change of locations and office closings; permitting establishment of branch banks through merger or consolidation; authorizing the acquisition of banks or trust companies located in this state by foreign bank holding companies under certain prescribed conditions; amending Minnesota Statutes 1980, Section 49.34; proposing new law coded in Minnesota Statutes, Chapters 47 and 48; repealing Minnesota Statutes 1980, Section 48.34.

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

Delete everything after the enacting clause and insert:

"FOREIGN ACQUISITION OF SAVINGS BANKS

Section 1. [49.47] [DEFINITIONS.]

Subdivision 1. [TERMS.] Unless the language or context clearly indicates that a different meaning is intended, the following terms, for purposes of section 2, have the meanings given.

Subd. 2. [ACT.] "Act" means the Federal Bank Holding Company Act of 1956, as amended.

Subd. 3. [FOREIGN BANK HOLDING COMPANY.] "Foreign bank holding company" means a company which is defined as a bank holding company under the Act and which conducted its principal banking business in a jurisdiction of the United States other than Minnesota, on May 9, 1956, or on the date on which the company became a bank holding company under the Act, whichever occurred later.

Subd. 4. [SAVINGS BANKS.] "Savings bank" means a savings bank on the effective date of this act as defined in section 47.01.

Subd. 5. [ACQUISITION.] "Acquisition" means acquiring, directly or indirectly, any voting shares of, interest in, or all or substantially all of the assets of, a savings bank whose principal office is located in this state.

Subd. 6. [COMMISSIONER.] "Commissioner" means the commissioner of banks.

Sec. 2. [49.48] [AUTHORITY OF FOREIGN BANK HOLDING COMPANIES TO ACQUIRE A SAVINGS BANK.]

Subdivision 1. [ACQUISITIONS.] If the commissioner has determined that exigent circumstances exist such that an acquisition of a savings bank is necessary and in the public interest to maintain the continued viability or prevent the probable failure of the savings bank, a foreign bank holding company or a subsidiary of a foreign bank holding company may make the acquisition and thereby engage in the business of banking in this state. The foreign bank holding company and its subsidiaries doing business in this state shall be subject to the provisions of all laws of this state which are applicable to banks and other financial institutions.

Subd. 2. [CONVERSION.] To facilitate an acquisition pursuant to this section, the commissioner may convert the charter, form of ownership, or operating powers of a savings bank into the charter, form of ownership, or operating powers of a bank.

Subd. 3. [COOPERATION WITH FEDERAL AUTHORITIES.] The commissioner shall participate to the extent permissible with the appropriate federal authorities in an effort to secure a suitable acquirer for a savings bank pursuant to subdivision 1 of this section. The acquiring institution shall be chosen after due consideration is given to the financial institution structure in the state, impact on the insurance fund of the Federal Deposit Insurance Corporation, state and federal antitrust laws, and the convenience and needs of the public.

Sec. 3. [EFFECTIVE DATE.]

This act is effective the day after final enactment."

Delete the title in its entirety and insert:

"A bill for an act relating to financial institutions; authorizing the acquisi-

tion of a savings bank located in this state by foreign bank holding companies under certain prescribed conditions; proposing new law coded in Minnesota Statutes, Chapter 49."

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

Mr. Tennesen from the Committee on Commerce, to which was referred

H.F. No. 1552: A bill for an act relating to insurance; extending the temporary joint underwriting association act for an additional six year period; extending the termination date of certain insurance policies; amending Minnesota Statutes 1980, Sections 62F.01, Subdivision 2; and 62F.06, Subdivision 1.

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

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

S.F. No. 1617: A bill for an act relating to public welfare; changing liquid asset limits for medical assistance eligibility; amending Minnesota Statutes 1981 Supplement, Section 256B.06, Subdivision 1, as amended by a law passed in the 1981 third special session styled as House File No. 2, Article I, Section 32.

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

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

S.F. No. 580: A bill for an act relating to health; providing for an automatic fine in certain instances relating to nursing home inspections; setting a penalty; amending Minnesota Statutes 1980, Section 144A.10; by adding a subdivision.

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

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1980, Section 144A.10, Subdivision 6, is amended to read:

Subd. 6. [FINES.] A nursing home which is issued a notice of noncompliance with a correction order shall be assessed a civil fine in accordance with a schedule of fines promulgated by rule of the commissioner of health. The fine shall be assessed for each day the facility remains in noncompliance and until a notice of correction is received by the commissioner of health in accordance with subdivision 7. No fine for a specific violation may exceed \$250 per day of noncompliance; *provided, however, that a fine of twice the amount of the two highest daily fine categories prescribed in rule, up to a limit of \$500 per day, be assessed upon the issuance of a notice of noncompliance with a correction order that is based upon a violation of the same provision of statute or rule found on the second or subsequent of two or more successive inspections.*"

Amend the title as follows:

Page 1, lines 5 and 6, delete "by adding a subdivision" and insert "Sub-division 6"

And when so amended the bill do pass and be re-referred to the Committee on Finance. Amendments adopted. Report adopted.

SECOND READING OF SENATE BILLS

S.F. Nos. 786, 787, 1497, 1514, 1239, 1424 and 832 were read the second time.

SECOND READING OF HOUSE BILLS

H.F. Nos. 1612 and 1552 were read the second time.

MOTIONS AND RESOLUTIONS

Mr. Kroening moved that S.F. No. 1462 be withdrawn from the Committee on Commerce and re-referred to the Committee on Governmental Operations. The motion prevailed.

Mr. Ramstad moved that S.F. No. 1679 be withdrawn from the Committee on Veterans' Affairs and re-referred to the Committee on General Legislation and Administrative Rules. The motion prevailed.

Mr. Johnson moved that the name of Mr. Rued be added as a co-author to S.F. No. 1375. The motion prevailed.

Mr. Chmielewski moved that the name of Mr. Johnson be added as a co-author to S.F. No. 1497. The motion prevailed.

Mr. Dahl moved that the name of Mr. Lindgren be added as a co-author to S.F. No. 1586. The motion prevailed.

Mr. Belanger moved that the name of Mr. Peterson, D.L. be added as a co-author to S.F. No. 1599. The motion prevailed.

Mr. Dicklich moved that the name of Mr. Spear be added as a co-author to S.F. No. 1614. The motion prevailed.

Mr. Dicklich moved that the names of Messrs. Johnson and Penny be added as co-authors to S.F. No. 1680. The motion prevailed.

Mr. Chmielewski moved that the name of Mr. Johnson be added as a co-author to S.F. No. 1699. The motion prevailed.

Mr. Knoll moved that the name of Mr. Nelson be added as a co-author to S.F. No. 1703. The motion prevailed.

Mr. Petty moved that the name of Mr. Merriam be added as a co-author to S.F. No. 1707. The motion prevailed.

Mr. Willet moved that the names of Messrs. Merriam and Dahl be added as co-authors to S.F. No. 1714. The motion prevailed.

Mr. Setzpfandt moved that the name of Mr. Wegener be added as a co-author to S.F. No. 1580. The motion prevailed.

Mr. Bertram moved that the name of Mr. Frederickson be added as a co-author to S. F. No. 1499. The motion prevailed.

Mrs. Lantry introduced—

Senate Concurrent Resolution No. 8: A Senate concurrent resolution proclaiming the second week in March as Women's History Week in Minnesota.

Referred to the Committee on Rules and Administration.

Mr. Moe, R.D. introduced—

Senate Concurrent Resolution No. 9: A Senate concurrent resolution providing session deadlines for the legislature pursuant to Joint Rule 2.03.

WHEREAS, Joint Rule 2.03, paragraph (b) requires the legislature to establish session deadline dates for even year sessions that are comparable to odd year sessions; NOW, THEREFORE,

BE IT RESOLVED by the Senate of the State of Minnesota, the House of Representatives concurring therein, that committee reports on bills favorably acted upon by a committee in the house of origin after Monday, February 22, 1982, and committee reports on bills originating in the other house favorably acted upon by a committee after Wednesday, March 3, 1982, shall be referred in the Senate to the Committee on Rules and Administration, and in the House of Representatives to the Committee on Rules and Legislative Administration for disposition. Referral is not required when a committee, after the earlier date and by the later date set by this paragraph, acts on a bill that is a companion to a bill that has met the earlier deadline in the other house. This requirement does not apply to the Senate Committees on Finance and on Taxes and Tax Laws, and the House Committees on Appropriations and on Taxes.

After Monday, March 8, 1982, neither house shall act on bills other than those contained in:

- (1) Reports of conference committees;
- (2) Messages from the other house;
- (3) Reports of the Committee on Rules and Administration in the Senate or the Committee on Rules and Legislative Administration in the House; or
- (4) Messages from the governor.

Mr. Moe, R.D. moved the adoption of the foregoing resolution.

The question was taken on the adoption of the resolution.

The roll was called, and there were yeas 57 and nays 3, as follows:

Those who voted in the affirmative were:

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

Ms. Berglin; Messrs. Dicklich and Merriam voted in the negative.

The motion prevailed. So the resolution was adopted.

SUSPENSION OF RULES

Mr. Moe, R.D. moved that an urgency be declared within the meaning of Article IV, Section 19, of the Constitution of Minnesota, with respect to S.F. No. 832 and that the rules of the Senate be so far suspended as to give S.F. No. 832, now on General Orders, its third reading and place it on its final passage. The motion prevailed.

S.F. No. 832: A bill for an act relating to financial institutions; authorizing the acquisition of a savings bank located in this state by foreign bank holding companies under certain prescribed conditions; proposing new law coded in Minnesota Statutes, Chapter 49.

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

So the bill passed and its title was agreed to.

CALENDAR

S.F. No. 1151: A bill for an act relating to county recorders; providing for the disposal of various obsolete records including state and federal liens; amending Minnesota Statutes 1980, Section 386.46.

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

The question was taken on the passage of the bill.

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

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

GENERAL ORDERS

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

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

S.F. Nos. 1231, 1068, 1364, 860, 1538, 1408, 1503, 679 and H.F. No. 583, which the committee recommends to pass.

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

INTRODUCTION AND FIRST READING OF SENATE BILLS

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

Messrs. Petty, Spear and Kroening introduced—

S.F. No. 1715: A bill for an act relating to the city of Minneapolis; permitting the city to change the name of the housing and redevelopment authority; permitting the transfer of certain employees to employment of the housing and redevelopment authority; establishing terms for transfer of the employees; permitting certain employees to purchase service credit from the Minneapolis employees retirement fund; amending Laws 1980, Chapter 595, Section 2, Subdivision 1 and Section 3, by adding a subdivision.

Referred to the Committee on Local Government and Urban Affairs.

Mr. Peterson, C.C. introduced—

S.F. No. 1716: A bill for an act relating to taxation; exempting sales of chances to use gambling devices sold by certain organizations from the sales tax; amending Minnesota Statutes 1981 Supplement, Section 297A.25, Subdivision 1, as amended.

Referred to the Committee on Taxes and Tax Laws.

Mr. Pehler introduced—

S.F. No. 1717: A bill for an act relating to automobile insurance; prohibiting any right of subrogation on underinsurance claims; amending Minnesota Statutes 1980, Section 65B.53, by adding a subdivision.

Referred to the Committee on Commerce.

Mrs. Stokowski and Mr. Kroening introduced—

S.F. No. 1718: A bill for an act relating to the city of Minneapolis; changing limitations on housing programs in two Minneapolis development districts; amending Laws 1971, Chapter 677.

Referred to the Committee on Local Government and Urban Affairs.

Messrs. Olhoft, Willet and Rued introduced—

S.F. No. 1719: A bill for an act relating to crimes; requiring mandatory jail sentences and other dispositional alternatives for persons convicted of driving while under the influence of alcohol or a controlled substance; amending Minnesota Statutes 1980, Sections 169.121, by adding subdivisions; 169.123, Subdivision 2; repealing Minnesota Statutes 1980, Section 169.121, Subdivisions 3 and 4; Minnesota Statutes 1981 Supplement, Section 169.121, Subdivision 5.

Referred to the Committee on Judiciary.

Messrs. Ramstad, Keefe and Sieloff introduced—

S.F. No. 1720: A bill for an act relating to probate; validating certain contract, gift, conveyance and trust provisions; proposing new law coded in Minnesota Statutes, Chapter 524.

Referred to the Committee on Judiciary.

Messrs. Ramstad, Hughes and Lindgren introduced—

S.F. No. 1721: A bill for an act relating to education; changing certain notification dates for school districts that educate nonresident pupils; providing that districts of residence are not liable for any billings received after a certain date; amending Minnesota Statutes 1981 Supplement, Section 124.2129, Subdivision 3.

Referred to the Committee on Education.

Messrs. Ashbach, Merriam, Johnson, Frederick and Keefe introduced—

S.F. No. 1722: A bill for an act relating to taxation; providing for reassessment of homestead property damaged by a disaster; appropriating money; proposing new law coded in Minnesota Statutes; Chapter 273.

Referred to the Committee on Taxes and Tax Laws.

Mr. Ashbach introduced—

S.F. No. 1723: A bill for an act relating to retirement; state retirement system; imposing liability for certain omitted employee contributions on the employing department; amending Minnesota Statutes 1980, Section 352.04, Subdivision 8.

Referred to the Committee on Public Employees and Pensions.

Mr. Merriam introduced—

S.F. No. 1724: A bill for an act relating to juveniles; authorizing imposition of fines and other dispositions for children adjudicated delinquent for offenses relating to controlled substances and intoxicating liquors; amending Minnesota Statutes 1980, Sections 152.15, by adding a subdivision; 340.035, Subdivision 2, and by adding a subdivision; 340.73, Subdivision 3, and by adding a subdivision; and 340.732.

Referred to the Committee on Judiciary.

Messrs. Solon and Chmielewski introduced—

S.F. No. 1725: A bill for an act relating to labor; changing the exclusion from minimum wage coverage for certain carnival, circus or fair workers; amending Minnesota Statutes 1980, Section 177.23, Subdivision 7.

Referred to the Committee on Employment.

Messrs. Lindgren, Luther, Ashbach, Merriam and Knutson introduced—

S.F. No. 1726: A bill for an act relating to metropolitan government; providing a salary maximum for metropolitan government employees; amending Minnesota Statutes 1980, Section 15A.081, Subdivision 7.

Referred to the Committee on Local Government and Urban Affairs.

Messrs. Frederickson, Langseth, Pehler, Mrs. Brataas and Mr. Stern introduced—

S.F. No. 1727: A bill for an act relating to retirement; second class city police relief associations; eliminating a dollar amount limitation on the payment of salaries to relief association officers; amending Minnesota Statutes 1981 Supplement, Section 423.808.

Referred to the Committee on Public Employees and Pensions.

Mr. Peterson, D.L. introduced—

S.F. No. 1728: A bill for an act relating to education; establishing a limit on the amount of special education aid a district may receive for administrative and other similar personnel; exempting certain stations and facilities from the limit; exempting Independent School District No. 166 from the limit; suspending a rule; granting authority to adopt temporary rules; providing for permanent rules; amending Minnesota Statutes 1981 Supplement, Section 124.32, Subdivision 1.

Referred to the Committee on Education.

Mr. Peterson, D.L. introduced—

S.F. No. 1729: A bill for an act relating to the city of St. James; providing for the calculation of its property tax levy limitation.

Referred to the Committee on Taxes and Tax Laws.

Mr. Peterson, D.L. introduced—

S.F. No. 1730: A bill for an act relating to education; providing for certain circumstances under which a pupil may attend school in a district which is not the pupil's district of residence; amending Minnesota Statutes 1980, Sections 120.075, Subdivision 4, and by adding subdivisions; repealing Minnesota Statutes 1980, Section 120.075, Subdivisions 1, 2, and 3a.

Referred to the Committee on Education.

Messrs. Frederickson, Schmitz, Ulland, Taylor and Kamrath introduced—

S.F. No. 1731: A bill for an act relating to motor vehicles; providing for

special license plates for former prisoners of war; prescribing penalties; proposing new law coded in Minnesota Statutes, Chapter 168.

Referred to the Committee on Transportation.

Messrs. Belanger, Kroening, Ashbach, Pehler and Dicklich introduced—

S.F. No. 1732: A bill for an act relating to housing; increasing the number of commissioners for certain housing authorities; increasing per-diem compensation for attendance of commissioners at meetings of the housing authorities; amending Minnesota Statutes 1980, Sections 462.425, Subdivisions 5 and 6; and 462.441.

Referred to the Committee on Governmental Operations.

Messrs. Renneke, Ramstad, Schmitz and Olhoft introduced—

S.F. No. 1733: A bill for an act relating to the military; increasing the minimum pay for enlisted personnel called into active service; amending Minnesota Statutes 1980, Section 192.51, Subdivision 2.

Referred to the Committee on General Legislation and Administrative Rules.

Mrs. Kronebusch, Messrs. Kamrath, Waldorf and Schmitz introduced—

S.F. No. 1734: A bill for an act relating to motor vehicles; authorizing the operation of motorized wheelchairs and motorized golf carts by certain persons on designated roadways of city streets; regulating the operation thereof; amending Minnesota Statutes 1980, Sections 168.012, by adding a subdivision; 169.522; and proposing new law coded in Minnesota Statutes, Chapter 169.

Referred to the Committee on Transportation.

Messrs. Renneke and Berg introduced—

S.F. No. 1735: A bill for an act relating to crimes; providing increased penalties for robbery for narcotics and receipt of stolen goods from a minor; amending Minnesota Statutes 1980, Sections 609.24; 609.245; and 609.53, by adding subdivisions.

Referred to the Committee on Judiciary.

Messrs. Renneke and Hughes introduced—

S.F. No. 1736: A bill for an act relating to Independent School District No. 507, Nicollet; authorizing a transfer of funds collected by referendum levy to reduce statutory operating debt.

Referred to the Committee on Education.

Messrs. Dahl and Petty introduced—

S.F. No. 1737: A bill for an act relating to commerce; providing an energy code compliance warranty applicable to the construction or repair of certain dwellings; proposing new law coded in Minnesota Statutes, Chapter 327A.

Referred to the Committee on Energy and Housing.

Messrs. Merriam, Sikorski, Stern and Taylor introduced—

S.F. No. 1738: A bill for an act relating to crimes; prohibiting possession of obscene works appealing to pedophiles; prescribing penalties; amending Minnesota Statutes 1980, Section 617.246, by adding a subdivision.

Referred to the Committee on Judiciary.

Messrs. Hanson and Langseth introduced—

S.F. No. 1739: A bill for an act relating to taxation; authorizing counties imposing a gravel tax under local law to elect to impose a gravel tax under general law; amending Minnesota Statutes 1981 Supplement, Section 298.76.

Referred to the Committee on Taxes and Tax Laws.

Mr. Davies, Ms. Berglin, Messrs. Merriam and Keefe introduced—

S.F. No. 1740: A bill for an act relating to landlords and tenants; permitting administrators of rental housing to petition the court for certain powers; clarifying the court's discretion to make certain orders; amending Minnesota Statutes 1980, Sections 566.25; and 566.29, Subdivision 4.

Referred to the Committee on Judiciary.

Messrs. Taylor, Langseth, Willet, Pehler and Mrs. Kronebusch introduced—

S.F. No. 1741: A bill for an act relating to education; removing the commissioner of education from the state university board and as secretary of the board; amending Minnesota Statutes 1980, Sections 136.12, Subdivision 1; and 136.13.

Referred to the Committee on Education.

Mr. Taylor, Mrs. Brataas and Mr. Belanger introduced—

S.F. No. 1742: A bill for an act relating to unemployment compensation; establishing a credit week as a percentage of average weekly wages; reducing the minimum tax rate and increasing the maximum tax rate; providing for retroactive tax rate changes; increasing the weeks necessary to establish a claim during favorable economic conditions; providing for the payment of additional benefits and reducing the weeks necessary to establish a claim during unfavorable economic conditions; limiting the maximum benefit amount; eliminating payment of the waiting week; removing the limitation on the deductibility of severance payments; providing for the full deduction of vacation pay, holiday pay, and of military retirement payments; providing for the deduction of secondary social security benefits; providing increased penalties for individuals who quit employment or who are discharged for misconduct; redefining suitable wages for seasonal workers; amending Minnesota Statutes 1980, Sections 268.04, Subdivisions 23 and 29; 268.06, Subdivisions 8 and 19; 268.07, Subdivision 2, and by adding a subdivision; 268.08, Subdivisions 1 and 3; 268.09, Subdivisions 1 and 2; repealing Minnesota Statutes 1980, Section 268.07, Subdivision 4.

Referred to the Committee on Employment.

Messrs. Dicklich and Johnson introduced—

S.F. No. 1743: A bill for an act relating to the environment; prohibiting out-of-state hazardous waste from being brought into the state; prohibiting generation of certain hazardous waste; proposing new law coded in Minnesota Statutes, Chapter 116.

Referred to the Committee on Agriculture and Natural Resources.

Messrs. Davis, Johnson, Pehler and Hanson introduced—

S.F. No. 1744: A bill for an act relating to taxation; income tax; property tax refund; providing an action to enjoin certain tax return preparers from engaging in certain conduct or from preparing returns; imposing penalties on a preparer for wilfully understating an income tax liability or wilfully overstating a property tax refund claim; proposing new law coded in Minnesota Statutes, Chapters 290 and 290A.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Engler, Kamrath, Ramstad and Mrs. Kronebusch introduced—

S.F. No. 1745: A bill for an act relating to workers' compensation; prohibiting double recovery for certain permanent partial disabilities; amending Minnesota Statutes 1980, Section 176.101, by adding a subdivision.

Referred to the Committee on Employment.

Ms. Berglin introduced—

S.F. No. 1746: A bill for an act relating to state contracts; rules governing eligibility for award of small business set aside contracts; amending Minnesota Statutes 1980, Section 16.085.

Referred to the Committee on Governmental Operations.

Mr. Willet introduced—

S.F. No. 1747: A bill for an act relating to natural resources; extending the time during which the commissioner of natural resources may extend timber permits; amending Laws 1981, Chapter 305, Section 11.

Referred to the Committee on Agriculture and Natural Resources.

Messrs. Schmitz, Renneke and Bernhagen introduced—

S.F. No. 1748: A bill for an act relating to the city of Waconia; authorizing the sale of certain revenue bonds at a price less than par value.

Referred to the Committee on Local Government and Urban Affairs.

Messrs. Wegener, Bernhagen, Belanger, Menning and Benson introduced—

S.F. No. 1749: A bill for an act relating to local improvements; providing the method for action on certain improvements by certain towns; amending Minnesota Statutes 1980, Section 429.011, Subdivision 2b.

Referred to the Committee on Local Government and Urban Affairs.

Messrs. Engler; Peterson, D.L.; Ulland; Bernhagen and Frederick introduced—

S.F. No. 1750: A bill for an act relating to taxation; exempting from the motor vehicle excise tax certain purchases of motorized bicycles for resale; amending Minnesota Statutes 1980, Section 297B.035, by adding a subdivision.

Referred to the Committee on Transportation.

Mr. Penny introduced—

S.F. No. 1751: A bill for an act relating to drainage; increasing certain authorized repair expenditures; amending Minnesota Statutes 1980, Section 106.471, Subdivision 2.

Referred to the Committee on Agriculture and Natural Resources.

Mr. Stumpf introduced—

S.F. No. 1752: A bill for an act relating to elections; recodifying municipal elections law; amending Minnesota Statutes 1980, Sections 205.02; 205.07, Subdivision 1; 205.13, as amended; 205.16; 205.17, as amended; 205.20, as amended; and 205.84; Minnesota Statutes 1981 Supplement, Section 205.10; proposing new law coded in Minnesota Statutes, Chapter 205; repealing Minnesota Statutes 1980, Sections 205.021; 205.04; 205.11, Subdivisions 1, 2, 3, 4 and 5; 205.14, Subdivisions 1, 2 and 3; 205.18; and 205.19; and Minnesota Statutes 1981 Supplement, Sections 205.03; 205.10; 205.11, Subdivision 4a; 205.121; 205.14, Subdivision 4; and 205.15.

Referred to the Committee on Elections and Reapportionment.

Mr. Stumpf introduced—

S.F. No. 1753: A bill for an act relating to elections; providing for experimental mail elections; proposing new law coded in Minnesota Statutes, Chapter 204B.

Referred to the Committee on Elections and Reapportionment.

Mrs. Brataas, Messrs. Chmielewski, Taylor and Belanger introduced—

S.F. No. 1754: A bill for an act relating to the military; precluding the payment of workers' compensation when a member is not paid from state funds; amending Minnesota Statutes 1981 Supplement, Section 176.011, Subdivision 9.

Referred to the Committee on Employment.

Messrs. Luther, Tennessen, Davies and Merriam introduced—

S.F. No. 1755: A bill for an act relating to crimes; establishing the crime of commercial bribery; prescribing penalties; proposing new law coded in Minnesota Statutes, Chapter 609.

Referred to the Committee on Judiciary.

Mr. Dicklich introduced—

S.F. No. 1756: A bill for an act relating to Independent School District No. 699; requiring certification of statutory operating debt.

Referred to the Committee on Education.

Mr. Waldorf, by request, introduced—

S.F. No. 1757: A bill for an act relating to the legislature; reducing the senate from 67 to 50 members and the house of representatives from 135 to 100 members; amending Minnesota Statutes 1980, Section 2.021.

Referred to the Committee on Rules and Administration.

Messrs. Hanson, Pehler, Dahl, Merriam and Johnson introduced—

S.F. No. 1758: A bill for an act relating to controlled substances; prohibiting conspiracies to violate controlled substances laws; prescribing penalties; proposing new law coded in Minnesota Statutes 1980, Chapter 152.

Referred to the Committee on Judiciary.

Messrs. Hughes, Langseth, Rued, Taylor and Davis introduced—

S.F. No. 1759: A bill for an act relating to education; establishing a legislative commission on education mandates; requiring a review of all state education mandates; requiring submission of a report to the legislature.

Referred to the Committee on Education.

Messrs. Bertram, Langseth, Rued, Setzepfandt and Peterson, D.L. introduced—

S.F. No. 1760: A bill for an act relating to natural resources; setting a limit on acquisition of land from a single owner as an activity area for land disposal of hazardous waste; proposing new law coded in Minnesota Statutes, Chapter 115A.

Referred to the Committee on Agriculture and Natural Resources.

Messrs. Solon, Spear and Ashbach introduced—

S.F. No. 1761: A bill for an act relating to credit unions; providing for approval of amendments to certificates of organization and bylaws; authorizing the board of directors to appoint a credit committee or a credit manager; prescribing the powers of a credit committee and credit manager; amending Minnesota Statutes 1980, Section 52.02; 52.08; 52.09, Subdivision 2; and 52.10.

Referred to the Committee on Commerce.

Messrs. Hanson, Willet and Wegener introduced—

S.F. No. 1762: A bill for an act relating to natural resources; requiring

payment of interest on late refunds to timber sale permit holders; authorizing reappraisal of damaged or destroyed timber sold under a permit; authorizing settlement of permit obligations when a permittee is incapacitated or deceased; amending Minnesota Statutes 1980, Section 90.201.

Referred to the Committee on Agriculture and Natural Resources.

Messrs. Setzepfandt, Frederickson, Lessard, Renneke and Taylor introduced—

S.F. No. 1763: A bill for an act relating to local government; establishing a board to implement and administer a plan for a segment of the Minnesota river in Blue Earth, Brown, Le Sueur, Nicollet, Redwood and Renville counties.

Referred to the Committee on Agriculture and Natural Resources.

Messrs. Setzepfandt, Davis, Frederickson, Berg and Penny introduced—

S.F. No. 1764: A bill for an act relating to local government; removing towns from general levy limits; amending Minnesota Statutes 1981 Supplement, Section 275.50, Subdivision 2.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Engler, Kamrath, Rued, Renneke and Mrs. Kronebusch introduced—

S.F. No. 1765: A bill for an act relating to game and fish; removing the restriction upon issuance of wild turkey licenses; amending Minnesota Statutes 1980, Section 100.271, Subdivision 3a.

Referred to the Committee on Agriculture and Natural Resources.

Messrs. Pehler, Johnson, Menning, Langseth and Peterson, C.C. introduced—

S.F. No. 1766: A bill for an act relating to taxation; making technical corrections and administrative changes to the income tax and property tax refund; amending Minnesota Statutes 1980, Sections 290.012, Subdivision 2; 290.02; 290.03; 290.06, Subdivisions 9 and 9a; 290.079, Subdivision 1; 290.09, Subdivisions 16 and 17; 290.095, Subdivision 4; 290.13, Subdivision 1; 290.133, Subdivision 1; 290.19, Subdivision 1; 290.281, Subdivision 1; 290.31, Subdivisions 5 and 19; 290.36; 290.45, Subdivision 1; 290.49, Subdivisions 3, 7, and by adding a subdivision; 290.53, by adding a subdivision; 290.65, Subdivisions 9 and 11; 290.91; 290.92, Subdivision 13; 290.93, Subdivision 9; 290.936; 290A.11, by adding a subdivision; and Minnesota Statutes 1981 Supplement, Sections 290.01, Subdivisions 20 and 27; 290.05, Subdivisions 1 and 4; 290.075; 290.081; 290.09, Subdivisions 2, 4, and 15; 290.091; 290.095, Subdivision 11; 290.10; 290.131, Subdivision 1; 290.132, Subdivision 1; 290.136, Subdivision 1; 290.14; 290.18, Subdivisions 1 and 2; 290.21, Subdivision 3; 290.23, Subdivision 3; 290.31, Subdivisions 3 and 4; 290.32; 290.37, Subdivision 1; 290.41, Subdivision 2; 290.42; 290.431; 290.92, Subdivisions 2a, 5, 5a, and 6; 290.93, Subdivisions 1 and 10; 290.9725; 290.974; 290A.03, Subdivisions 3 and 13; 290A.07, Subdivision 2a; 290A.11, Subdivision 1; proposing new law coded in Minnesota Statutes,

Chapter 290; repealing Minnesota Statutes 1980, Sections 62E.03, Subdivision 2; 290.06, Subdivision 3c; 290.0781; 290.079, Subdivisions 2, 3, 4, and 5; 290.08, Subdivision 21; 290.09, Subdivision 24; 290.13, Subdivisions 2, 4, and 10; 290.136, Subdivision 8; 290.26, Subdivision 5; 290.281, Subdivisions 3, 4, and 6; 290.31, Subdivisions 7, 8, 12, 13, 14, 15, 16, 17, 18, 20, 22, 23, 24, 25, and 26; 290.973; and Minnesota Statutes 1981 Supplement, Sections 290.079, Subdivision 6; 290.09, Subdivision 17a; 290.131, Subdivisions 2 and 3; 290.132, Subdivision 2; 290.133, Subdivision 2; 290.21, Subdivision 7; 290.26, Subdivisions 1 and 3; 290.281, Subdivision 2; 290.31, Subdivisions 6, 8a, 9, 10, 11, and 21; and 290.971, Subdivision 7.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Merriam, Johnson and Pehler introduced—

S.F. No. 1767: A bill for an act relating to taxation; income tax; providing for allocation of income for nonresident athletes and entertainers; providing for apportionment of income for athletic teams; providing for withholding; amending Minnesota Statutes 1980, Sections 290.19, Subdivision 1; and 290.92, Subdivision 4a; and Minnesota Statutes 1981 Supplement, Section 290.17, Subdivision 2.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Johnson, Dicklich, Rued, Hanson and Chmielewski introduced—

S.F. No. 1768: A bill for an act relating to counties; fixing conditions for the operation of waste facilities; amending Minnesota Statutes 1980, Section 400.16.

Referred to the Committee on Agriculture and Natural Resources.

Mr. Sikorski introduced—

S.F. No. 1769: A bill for an act relating to public welfare; providing for approval of mental health clinics and centers pending promulgation of permanent rules.

Referred to the Committee on Health, Welfare and Corrections.

Messrs. Luther, Ramstad, Peterson, C.C.; Willet and Nelson introduced—

S.F. No. 1770: A bill for an act relating to highway traffic regulations; revising procedures for hearings and appeals on driver license revocations for failure to submit to chemical testing or for exceeding prescribed alcohol concentrations; amending Minnesota Statutes 1980, Section 169.123, Subdivisions 5, 5a, 6, and by adding a subdivision.

Referred to the Committee on Judiciary.

Ms. Berglin and Mr. Solon introduced—

S.F. No. 1771: A bill for an act relating to public welfare; providing for a mechanism in the program of aid to families with dependent children to minimize certain recipients' incentives to quit work; amending Minnesota Statutes 1980, Section 256.74, Subdivision 1, as amended.

Referred to the Committee on Health, Welfare and Corrections.

Messrs. Peterson, C.C. and Hanson introduced—

S.F. No. 1772: A bill for an act relating to state departments and agencies; transferring the duties of the former department of economic development to the secretary of state; appropriating money; proposing new law coded in Minnesota Statutes, Chapter 5.

Referred to the Committee on Governmental Operations.

Messrs. Hanson, Stumpf, Schmitz, Merriam and Spear introduced—

S.F. No. 1773: A bill for an act relating to elections; proposing an amendment to the Minnesota Constitution, Article VII, Section 9, to limit campaign expenditures by candidates for the United States senate and house of representatives; providing implementing legislation; amending Minnesota Statutes 1980, Sections 10A.01, Subdivision 13, and by adding a subdivision; 10A.20, Subdivision 3a, and by adding a subdivision; 10A.22, by adding a subdivision; 10A.25, Subdivisions 5, 6, 7, 10, and by adding a subdivision; 10A.27; 10A.275; 10A.28, Subdivisions 1 and 2; 10A.31, Subdivisions 2 and 7; and 10A.335; Minnesota Statutes 1981 Supplement, Sections 10A.255, Subdivision 1; and 10A.31, Subdivisions 1, 3, and 5.

Referred to the Committee on Elections and Reapportionment.

Messrs. Johnson; Peterson, C.C.; Moe, R.D. and Ashbach introduced—

S.F. No. 1774: A bill for an act relating to taxation; sales; exempting paper plant material; proposing new law coded in Minnesota Statutes, Chapter 297A.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Spear and Solon introduced—

S.F. No. 1775: A bill for an act relating to health; providing for grants to certain maternal and child health care programs; proposing new law coded in Minnesota Statutes, Chapter 144.

Referred to the Committee on Health, Welfare and Corrections.

Ms. Berglin, Messrs. Pehler, Belanger and Bernhagen introduced—

S.F. No. 1776: A bill for an act relating to local government aid; requiring a portion of the state general fund to be distributed for local government aid; providing for payment of local government aid; requiring the commissioner of revenue to estimate payments; authorizing the delay of 1982 aid payments; appropriating money; amending Minnesota Statutes 1981 Supplement, Sections 477A.014, Subdivision 1; 477A.015; and 477A.03.

Referred to the Committee on Taxes and Tax Laws.

Ms. Berglin, Messrs. Belanger and Bernhagen introduced—

S.F. No. 1777: A bill for an act relating to local government aid; requiring a portion of sales tax collections to be distributed for local government aid;

providing for payment of local government aid; requiring the commissioner of revenue to estimate payments; appropriating money; amending Minnesota Statutes 1981 Supplement, Sections 477A.014, Subdivision 1; 477A.015; and 477A.03.

Referred to the Committee on Taxes and Tax Laws.

Mr. Menning introduced—

S.F. No. 1778: A bill for an act proposing an amendment to the Minnesota Constitution, Article VI, Section 8; providing for an election to be called to fill vacancies in the office of judge; amending Minnesota Statutes 1980, Sections 487.03, Subdivision 5; 488A.021, Subdivision 3; 488A.19, Subdivision 3; and 525.052.

Referred to the Committee on Judiciary.

Mr. Waldorf introduced—

S.F. No. 1779: A bill for an act relating to insurance; directing the commissioner of public safety to promulgate rules regarding mandatory vehicle insurance; amending Minnesota Statutes 1980, Section 65B.68, by adding a subdivision.

Referred to the Committee on Commerce.

Mr. Willet introduced—

S.F. No. 1780: A bill for an act relating to highway traffic regulations; allowing the use of certain combinations of vehicles; allowing certain axle weight combinations; establishing allowable axle weight combinations; establishing allowable axle weights on restricted routes; modifying the distribution of receipts collected as fines; amending Minnesota Statutes 1981 Supplement, Sections 169.81, Subdivision 3; 169.825, Subdivisions 8, 10, and 12; 299D.03, Subdivision 5; repealing Minnesota Statutes 1981 Supplement, Section 169.861.

Referred to the Committee on Transportation.

Messrs. Stern; Moe, R.D.; Luther; Sikorski and Pehler introduced—

S.F. No. 1781: A bill for an act relating to taxation; providing for conformity to federal income tax treatment of contributions to individual retirement accounts and Keogh plans; amending Minnesota Statutes 1981 Supplement, Section 290.01, Subdivision 20, as amended.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Nelson and Peterson, D.L. introduced—

S.F. No. 1782: A bill for an act relating to education; establishing limitations on appropriations for higher education interstate tuition reciprocity agreements; declaring legislative intention to discontinue appropriating money for higher education interstate tuition reciprocity agreements; providing that continuing students shall remain eligible for remission on nonresident tuition; requiring the higher education coordinating board to determine categories of

students eligible for remission of nonresident tuition; encouraging discontinuance of courses of study and schools when duplication exists in this state and adjacent states when economically advantageous; amending Minnesota Statutes 1980, Sections 136A.04, Subdivision 1; and 136A.08; Laws 1981, Chapter 359, Section 3, Subdivision 6.

Referred to the Committee on Education.

MOTIONS AND RESOLUTIONS - CONTINUED

Mr. Moe, R.D. moved that the Senate do now adjourn until 11:00 a.m., Monday, February 8, 1982. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate