

SIXTY-NINTH DAY

St. Paul, Minnesota, Monday, February 8, 1982

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

CALL OF THE SENATE

Mr. Moe, R.D. imposed a call of the Senate. The Sergeant at Arms was instructed to bring in the absent members.

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

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

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

The President declared a quorum present.

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

MEMBERS EXCUSED

Messrs. Hanson, Lessard, Menning, Pillsbury and Tennesen were excused from the Session of today. Mr. Stern was excused from the Session of today until 11:30 a.m. Mr. Humphrey was excused from the Session of today at 11:40 a.m.

EXECUTIVE AND OFFICIAL COMMUNICATIONS

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

June 5, 1981

The Honorable Jack Davies
President of the Senate

Dear Sir:

The following appointment to the Crime Victims Reparations Board is hereby respectfully submitted to the Senate for confirmation as required by law:

Kenneth Strom, 807 W. Oakland Avenue, Austin, Mower County, has been appointed by me, effective June 5, 1981, for a term expiring the first Monday in January, 1985.

(Referred to the Committee on Judiciary.)

June 18, 1981

The Honorable Jack Davies
President of the Senate

Dear Sir:

The following appointment to the Public Employment Relations Board is hereby respectfully submitted to the Senate for confirmation as required by law:

David Y. Morris, 2990 Casco Point Road, Wayzata, Hennepin County, has been appointed by me, effective June 18, 1981, for a term expiring the first Monday in January, 1985.

(Referred to the Committee on Public Employees and Pensions.)

June 24, 1981

The Honorable Jack Davies
President of the Senate

Dear Sir:

The following appointment to the Capitol Area Architectural and Planning Board is hereby respectfully submitted to the Senate for confirmation as required by law:

Virginia Olson, 12929 Maywood Lane, Hopkins, Hennepin County, has been appointed by me, effective July 1, 1981, for a term expiring the first Monday in January, 1985.

(Referred to the Committee on Governmental Operations.)

July 1, 1981

The Honorable Jack Davies
President of the Senate

Dear Sir:

The following appointments to the Minnesota Housing Finance Agency are hereby respectfully submitted to the Senate for confirmation as required by law:

Demetrius G. Jelatis, 1161 Oak Street, Red Wing, Goodhue County, has been appointed by me, effective July 1, 1981, for a term expiring the first Monday in January, 1983.

J. Mark Wedel, 515 Sixth Avenue SE, Aitkin, Aitkin County, has been appointed by me, effective July 1, 1981, for a term expiring the first Monday in January, 1985.

(Referred to the Committee on Energy and Housing.)

July 27, 1981

The Honorable Jack Davies
President of the Senate

Dear Sir:

The following appointment to the Cable Communications Board is hereby respectfully submitted to the Senate for confirmation as required by law:

Tony Perpich, Route 1, Box 379A, Eveleth, St. Louis County, has been appointed by me, effective July 27, 1981, for a term expiring the first Monday in January, 1984.

(Referred to the Committee on Commerce.)

September 15, 1981

The Honorable Jack Davies
President of the Senate

Dear Sir:

The following appointment to the State University Board is hereby respectfully submitted to the Senate for confirmation as required by law:

Christine P. Fritsche, Route 4, Box 79, Marshall, Lyon County, has been appointed by me, effective September 15, 1981, for a term expiring the first Monday in January, 1985.

(Referred to the Committee on Education.)

January 4, 1982

The Honorable Jack Davies
President of the Senate

Dear Sir:

The following appointment to the Board of Animal Health is hereby respectfully submitted to the Senate for confirmation as required by law:

Kenneth E. Neeser, Route 1, St. Cloud, Benton County, has been appointed by me, effective January 4, 1982, for a term expiring the first Monday in January, 1986.

(Referred to the Committee on Agriculture and Natural Resources.)

January 4, 1982

The Honorable Jack Davies
President of the Senate

Dear Sir:

The following appointment to the Cable Communications Board is hereby respectfully submitted to the Senate for confirmation as required by law:

Martin J. Pinkney, 419-15th Street North, Moorhead, Clay County, has been appointed by me, effective January 4, 1982, for a term expiring the first Monday in January, 1986.

(Referred to the Committee on Commerce.)

January 4, 1982

The Honorable Jack Davies
President of the Senate

Dear Sir:

The following appointment to the Capitol Area Architectural and Planning Board is hereby respectfully submitted to the Senate for confirmation as required by law:

Thomas G. Reichert, 1229-13th Avenue North, St. Cloud, Stearns County, has been appointed by me, effective January 4, 1982, for a term expiring the first Monday in January, 1986.

(Referred to the Committee on Governmental Operations.)

January 4, 1982

The Honorable Jack Davies
President of the Senate

Dear Sir:

The following appointment to the Minnesota Environmental Quality Board is hereby respectfully submitted to the Senate for confirmation as required by law:

Lauren Larsen, 109 E. Anoka Street, Duluth, St. Louis County, has been appointed by me, effective January 4, 1982, for a term expiring the first Monday in January, 1986.

(Referred to the Committee on Agriculture and Natural Resources.)

January 4, 1982

The Honorable Jack Davies
President of the Senate

Dear Sir:

The following appointment to the Minnesota Higher Education Facilities Authority is 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 January 4, 1982, for a term expiring the first Monday in January, 1986.

(Referred to the Committee on Education.)

January 4, 1982

The Honorable Jack Davies
President of the Senate

Dear Sir:

The following appointment to the Minnesota Water Resources Board is hereby respectfully submitted to the Senate for confirmation as required by law:

Duane R. Ekman, Route 1, Argyle, Marshall County, has been appointed by me, effective January 4, 1982, for a term expiring the first Monday in January, 1986.

(Referred to the Committee on Agriculture and Natural Resources.)

January 4, 1982

The Honorable Jack Davies
President of the Senate

Dear Sir:

The following appointments to the Small Business Finance Agency are hereby respectfully submitted to the Senate for confirmation as required by law:

John F. Campe, 8 Camelsback Road, New Ulm, Brown County, has been appointed by me, effective January 4, 1982, for a term expiring the first Monday in January, 1986.

David L. Printy, 75 Rhode Island Avenue South, Minneapolis, Hennepin County, has been appointed by me, effective January 4, 1982, for a term expiring the first Monday in January, 1986.

(Referred to the Committee on Employment.)

Sincerely,

Albert H. Quie, Governor

MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to announce the adoption by the House of the following Senate Concurrent Resolution, herewith returned:

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

Edward A. Burdick, Chief Clerk, House of Representatives

Returned February 4, 1982

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, herewith returned: S.F. No. 832.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned February 4, 1982

REPORTS OF COMMITTEES

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

Mr. Schmitz from the Committee on Veterans' Affairs, to which was referred

S.F. No. 1508: A bill for an act relating to veterans; establishing information and referral assistance programs; authorizing limited studies; mandating annual reports; establishing an Agent Orange information and assistance section in the department of veterans affairs; providing Agent Orange information to health professionals; providing genetic information and counseling; classify-

ing certain information as confidential; authorizing certain class actions; appropriating money; proposing new law coded in Minnesota Statutes, Chapter 196.

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

Mr. Davies from the Committee on Judiciary, to which was re-referred

S.F. No. 70: A bill for an act relating to evidence; limiting the legislative history admissible to determine legislative intent; amending Minnesota Statutes 1980, Section 645.16.

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

Mr. Davies from the Committee on Judiciary, to which was referred

S.F. No. 412: A bill for an act relating to commerce; providing that state exemptions allowed a debtor in bankruptcy proceedings are exclusive; proposing new law coded in Minnesota Statutes, Chapter 550.

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

Delete everything after the enacting clause and insert:

“Section 1. [550.371] [EXEMPTIONS IN JOINT BANKRUPTCY.]

Subdivision 1. [APPLICABLE LAW.] Except as provided in this section, the exemptions set forth in subsection (d) of Section 522 of the Bankruptcy Act, 11 United States Code Section 522(d), shall be available to residents of this state.

Subd. 2. [JOINT PETITION.] When a husband and wife are joined in a petition for bankruptcy, they may jointly elect to utilize either the applicable exemption provisions pursuant to Minnesota law or pursuant to subsection (d) of Section 522 of the Bankruptcy Act, 11 United States Code Section 522(d), but not both.

Subd. 3. [INDIVIDUAL PETITION.] When a petition for bankruptcy is filed individually, and not jointly, for a husband or a wife, (a) one spouse shall not claim any exemption pursuant to Minnesota law if the other spouse has claimed any exemption under subsection (d) of Section 522 of the Bankruptcy Act, 11 United States Code Section 522(d); and (b) one spouse shall not claim any exemption pursuant to subsection (d) of Section 522 of the Bankruptcy Act, 11 United States Code Section 522(d), if the other spouse has claimed any exemption pursuant to Minnesota law.

Subd. 4. [MARITAL STATUS DETERMINED.] For the purposes of this section, persons shall be considered to be husband and wife if they are married at the time of the filing of the first individual or joint petition for bankruptcy by either of them unless a decree of separation or temporary order of separation of the parties is issued prior to the time the petition is filed.

Sec. 2. [EFFECTIVE DATE.]

This act shall be effective the day following final enactment and shall apply to bankruptcies filed on or after that date.”

Amend the title as follows:

Page 1, line 2, delete "state" and insert "married couples filing petitions in bankruptcy select either state or federal"

Page 1, delete line 3

Page 1, line 4, delete "exclusive"

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

Mr. Davies from the Committee on Judiciary, to which was referred

S.F. No. 1088: A bill for an act relating to real property; providing for the registration of certain possessory estates in real property without court proceedings; providing for a changeover from a certificate of possessory title to a certificate of title after a certain number of years; proposing new law coded as Minnesota Statutes, Chapter 508A.

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

Page 1, lines 14 and 25, delete "*Minnesota Statutes,*"

Page 2, line 33, delete "*Minnesota Statutes,*"

Page 3, line 7, delete "*Minnesota Statutes,*"

Page 3, line 27, delete "*therein*" and insert "*in it*"

Page 3, line 35, delete "*thereof*" and insert "*of it*"

Page 4, lines 3 and 11, delete "*such*" and insert "*the*"

Page 4, line 13, delete "*wherein*" and insert "*in which*"

Page 4, line 16, delete "*may*" and insert "*shall*"

Page 4, lines 18 and 36, delete "*the same*" and insert "*it*"

Page 4, line 20, delete "*that term is*"

Page 4, line 26, delete "*therein*" and insert "*in it*"

Page 4, line 27, delete "*therein*"

Page 4, line 27, after "*agree*" insert "*in it*"

Page 5, line 21, delete "*wherein*" and insert "*in which*"

Page 5, line 26, delete "*may be*"

Page 5, line 28, delete "*where*" and insert "*when*"

Page 6, line 25, delete "*Minnesota Statutes,*"

Page 6, line 26, before the period, insert "*and shall hold office and be compensated as provided in that section*"

Page 7, line 22, delete "*thereof*" and insert "*of mailing*"

Page 8, lines 25 and 26, delete "*Minnesota Statutes,*"

Page 8, line 35, delete "*thereof*"

Page 9, lines 4, 17 and 20, delete "*thereof*" and insert "*of it*"

- Page 9, line 19, delete "*Minnesota Statutes,*"
- Page 10, line 6, delete "*thereof*" and insert "*of it*"
- Page 10, line 8, delete "*thereby*" and insert "*which are*"
- Page 10, line 25, delete "*thereupon*" and insert "*then*"
- Page 11, line 5, delete "*Minnesota Statutes,*"
- Page 11, lines 6 and 7, delete "*Minnesota Statutes,*"
- Page 11, line 17, delete "*therein*" and insert "*in it*"
- Page 11, line 36, delete "*thereunder*" and insert "*under it*"
- Page 12, line 27, delete "*such*" and insert "*the*"
- Page 13, line 9, delete "*the same*" and insert "*it*"
- Page 13, line 12, delete "*thereof*" and insert "*of it*"
- Page 13, line 35, delete "*Minnesota Statutes,*"
- Page 14, lines 6 and 10, delete "*thereof*" and insert "*of it*"
- Page 15, line 26, delete "*Minnesota Statutes,*"
- Page 16, line 2, delete "*carryforward*" and insert "*carry forward*"
- Page 16, lines 8, 14, 24 and 27, delete "*Minnesota Statutes,*"
- Page 16, line 13, delete "*thereto*" and insert "*to it*"
- Page 16, line 19, delete "*the same*" and insert "*it*"
- Page 16, lines 19 and 29, delete "*thereof*" and insert "*of it*"
- Page 16, line 25, delete "*thereof*" and insert "*of them*"
- Page 16, line 26, delete "*of the same, which*" and insert "*as they have.*
The"
- Page 16, line 29, delete "*likewise*" and insert "*also*"
- Page 17, lines 2 and 26, delete "*the same*" and insert "*it*"
- Page 17, line 4, delete "*Minnesota Statutes,*"
- Page 17, line 19, delete "*aforesaid*" and insert "*required*"
- Page 17, lines 21 and 25, delete "*thereof*" and insert "*of it*"
- Page 18, line 6, delete "*therein*" and insert "*in it*"
- Page 18, line 11, delete "*the same and thereupon*" and insert "*them.*"
- Page 18, line 11, after the second "*may*" insert "*then*"
- Page 18, line 12, delete "*therefor*" and insert "*for them*"
- Page 18, line 14, delete "*the*"
- Page 18, line 15, delete "*same, and thereupon*" and insert "*them.*"
- Page 18, line 15, after "*may*" insert "*then*"
- Page 18, line 17, delete "*may*"

- Page 18, line 18, delete "*desire*" and insert "*desires*"
- Page 18, line 27, delete "*thereto*" and insert "*to it*"
- Page 18, line 36, delete "*such*"
- Page 19, lines 5 and 31, delete "*thereto*" and insert "*to it*"
- Page 19, line 31, delete "*make application therefor*" and insert "*apply for it*"
- Page 20, line 10, delete "*the same*" and insert "*it*"
- Page 20, lines 14 and 32, delete "*thereof*" and insert "*of it*"
- Page 21, line 1, delete "*, which*" and insert "*. The*"
- Page 21, line 6, delete "*in*"
- Page 21, line 7, delete "*addition thereto*"
- Page 21, line 29, delete "*thereof*" and insert "*of them*"
- Page 22, line 3, delete "*, and such*" and insert "*. The*"
- Page 22, lines 7 and 35, delete "*thereon*" and insert "*on it*"
- Page 22, lines 8 and 36, delete "*thereto*" and insert "*to it*"
- Page 22, line 16, delete "*, which*" and insert "*. The copy*"
- Page 23, lines 6, 28 and 32, delete "*thereof*" and insert "*of it*"
- Page 24, line 14, delete "*therewith*" and insert "*with it*"
- Page 24, lines 16 and 31, delete "*thereof*" and insert "*of it*"
- Page 24, line 17, delete "*thereby*"
- Page 25, line 5, delete "*thereon*" and insert "*on it*"
- Page 26, line 6, after "*discretion*" insert a comma
- Page 26, line 11, delete "*therein*"
- Page 26, line 11, after "*noted*" insert "*in it*"
- Page 26, line 15, delete the semicolon and insert a period
- Page 26, line 28, delete "*the same*" and insert "*it*"
- Page 27, line 9, delete "*the*" and insert "*its*"
- Page 27, line 9, delete "*of same*"
- Page 27, line 30, delete "*therewith*"
- Page 27, line 31, after "*presented*" insert "*with it*"
- Page 27, line 36, delete "*thereof*" and insert "*of it*"
- Page 28, line 1, delete "*thereof shall*" and insert "*of it*"
- Page 28, lines 2, 12, 16, 18, 27 and 33, delete "*thereof*" and insert "*of it*"
- Page 28, line 18, delete "*therein*"
- Page 28, lines 29 and 32, delete "*thereupon*" and insert "*then*"

- Page 29, lines 4, 5, 9, 10, 18, 32 and 35, delete "*thereof*" and insert "*of it*"
- Page 29, lines 9, 30 and 32, delete "*therein*" and insert "*in it*"
- Page 29, line 11, delete "*may be*" and insert "*is*"
- Page 29, line 11, delete "*, and*" and insert a period
- Page 29, line 22, delete "*the same*" and insert "*it*"
- Page 29, line 24, delete "*thereto*" and insert "*to it*"
- Page 30, line 20, delete "*; the fees, however,*" and insert "*. However, the fees*"
- Page 30, line 21, delete "*to*" and insert "*shall*"
- Page 30, line 31, delete "*thereof*" and insert "*of it*"
- Page 31, lines 11 and 18, delete "*thereupon*" and insert "*then*"
- Page 31, line 30, delete "*, and,*" and insert a period
- Page 32, line 6, delete "*the same*" and insert "*it*"
- Page 32, line 27, delete "*thereof*" and insert "*of it*"
- Page 33, line 6, delete "*therein*" and insert "*in it*"
- Page 33, line 7, delete "*thereto*" and insert "*to it*"
- Page 33, lines 10 and 11, delete "*be*" and insert "*is*"
- Page 33, lines 11 and 16, delete "*the same*" and insert "*it*"
- Page 33, line 12, delete "*, and thereupon*" and insert a period and after "*shall*" insert "*then*"
- Page 33, line 20, after "*assigning*" delete "*the*"
- Page 33, line 21, delete "*same*" and insert "*it*"
- Page 33, line 21, delete the comma at the end of the line
- Page 33, line 22, delete "*and thereupon*" and insert a period
- Page 33, line 22, after "*shall*" insert "*then*"
- Page 33, lines 17 and 24, delete "*thereto*" and insert "*to it*"
- Page 33, line 33, delete "*Minnesota Statutes,*"
- Page 34, line 11, delete "*the*" and insert "*its*"
- Page 34, line 11, delete "*thereof*"
- Page 34, lines 16 and 29, delete "*thereof*" and insert "*of it*"
- Page 34, line 36, delete "*thereon*" and insert "*on it*"
- Page 35, line 9, delete "*thereon*" and insert "*on it*"
- Page 35, line 15, delete "*the same*" and insert "*it*"
- Page 35, line 29, delete "*such*" and insert "*the*"
- Page 36, line 4, delete "*; and*" and insert a period
- Page 36, line 22, delete "*thereof*" and insert "*of it*"

Page 37, lines 3 and 32, delete "*therein*" and insert "*in it*"

Page 37, line 4, delete "*such*" and insert "*the*"

Page 37, line 6, delete "*so*"

Page 37, lines 7 and 33, delete "*thereof*" and insert "*of it*"

Page 37, line 11, delete the comma

Page 37, line 12, delete "*and*" and insert a period

Page 37, line 23, delete "*thereto*" and insert "*to it*"

Page 38, lines 3 and 24, delete "*therein*" and insert "*in it*"

Page 38, line 16, delete "*be*" and insert "*is*"

Page 38, line 29, delete "*thereon*" and insert "*on it*"

Page 38, line 30, delete "*Thereupon*"

Page 38, line 31, after "*shall*" insert "*then*"

Page 38, line 35, delete "*thereof*" and insert "*on it*"

Page 40, lines 9 and 14, delete "*thereof*" and insert "*of it*"

Page 40, lines 11 and 15, delete "*therewith*" and insert "*with it*"

Page 40, line 19, delete "*thereof*" and insert "*of them*"

Page 40, line 28, delete "*such*" and insert "*the*"

Page 40, line 29, delete "*as*"

Page 41, lines 3, 5 and 34, delete "*Minnesota Statutes,*"

Page 41, line 20, after "*years*" insert a comma

Page 41, line 21, delete "*thereof*" and insert "*of them*"

Page 41, line 24, delete "*thereof,*" and insert "*of it*"

Page 42, line 13, delete "*carryforward*" and insert "*carry forward*"

Page 42, lines 17, 28 and 29, delete "*Minnesota Statutes,*"

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

Mr. Olhott from the Committee on General Legislation and Administrative Rules, to which was referred

S.F. No. 303: A bill for an act proposing an amendment to the Minnesota Constitution, Article X, adding a section; authorizing and taxing parimutuel wagering on races if authorized by law.

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

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

S.F. No. 1539: A bill for an act relating to state collective bargaining units; adopting a modified unit composition schedule for state employees; amending

Minnesota Statutes 1980, Section 179.741, Subdivision 1.

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

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

S.F. No. 1481: A bill for an act relating to state government; providing a one time early retirement insurance benefit option for certain state employees; amending Minnesota Statutes 1981 Supplement, Section 43A.24, Subdivision 2.

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

Page 2, line 26, after "(h)" insert "*Notwithstanding section 43A.27, subdivision 3,*"

Page 2, line 30, delete "*July 1*" and insert "*March 1*"

Page 2, line 30, after "*October 1, 1982*" insert "*, or an employee, who has at least 20 years of state service and retires, earlier than required, from employment at Rochester state hospital after July 1, 1981*"

Page 2, line 31, delete "*70*" and insert "*65*"

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

Mr. Knoll from the Committee on Governmental Operations, to which were referred the following appointments as reported in the Journal for April 27, 1981:

METROPOLITAN COUNCIL

Dean T. Maschka
Thomas W. Newcome
Joan Campbell
Alton J. Gasper
Patricia Hasselmo
Roger H. Scherer
Mary M. Hauser
William G. Sando

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

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

Mr. Knoll from the Committee on Governmental Operations, to which was referred the following appointment as reported in the Journal for May 14, 1981:

METROPOLITAN COUNCIL

John F. Bergford, Jr.

Reports the same back with the recommendation that the appointment be

confirmed.

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

SECOND READING OF SENATE BILLS

S.F. Nos. 70, 412, 1088, 1539 and 1481 were read the second time.

MOTIONS AND RESOLUTIONS

Mr. Lindgren moved that the names of Messrs. Luther, Belanger and Peterson, D.L. be added as co-authors to S.F. No. 1491. The motion prevailed.

Mr. Wegener moved that the name of Mr. Dahl be added as a co-author to S.F. No. 1676. The motion prevailed.

Mr. Penny moved that the name of Mr. Knutson be added as a co-author to S.F. No. 1712. The motion prevailed.

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

Mrs. Kronebusch moved that the name of Mrs. Lantry be added as a co-author to S.F. No. 1734. The motion prevailed.

Ms. Berglin moved that the names of Mr. Sikorski and Mrs. Lantry be added as co-authors to S.F. No. 1771. The motion prevailed.

Mr. Johnson moved that the name of Mr. Lessard be added as a co-author to S.F. No. 1774. The motion prevailed.

Mr. Luther moved that the name of Mr. Humphrey be added as a co-author to S.F. No. 1755. The motion prevailed.

Mr. Lindgren moved that the name of Mr. Ramstad be added as a co-author to S.F. No. 1312. The motion prevailed.

CALENDAR

S.F. No. 679: A bill for an act relating to eminent domain; providing for the computation of interest rates on damages; amending Minnesota Statutes 1980, Section 117.195.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 56 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

H.F. No. 583: A bill for an act relating to public use of private land; clarifying and altering landowners' liability in the recreational use of their land; amending Minnesota Statutes 1980, Sections 87.021, Subdivisions 2, 3, 4 and 5; 87.0221; 87.023; 87.025; and 87.03; repealing Minnesota Statutes 1980, Section 87.022.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 58 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

S.F. No. 1231: A bill for an act relating to waters; exempting certain watercraft from requirements related to personal flotation devices; amending Minnesota Statutes 1980, Section 361.141, Subdivision 1.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 37 and nays 23, as follows:

Those who voted in the affirmative were:

Ashbach	Dahl	Kronebusch	Petty	Spear
Belanger	Davies	Merriam	Ramstad	Stumpf
Benson	Dieterich	Moe, D. M.	Renneke	Taylor
Berglin	Engler	Nelson	Rued	Ulland
Bernhagen	Frederickson	Olhoft	Setzepfandt	Vega
Bertram	Hughes	Penny	Sieloff	
Brataas	Kamrath	Peterson, C. C.	Sikorski	
Chmielewski	Knutson	Peterson, R. W.	Solon	

Those who voted in the negative were:

Bang	Frederick	Kroening	Pehler	Waldorf
Berg	Humphrey	Langseth	Peterson, D. L.	Wegener
Davis	Johnson	Lantry	Purfeerst	Willet
Dicklich	Keefe	Lindgren	Schmitz	
Frank	Knoll	Luther	Stokowski	

So the bill passed and its title was agreed to.

S.F. No. 1503: A bill for an act relating to game and fish; fees for firearms safety courses; amending Minnesota Statutes 1980, Section 97.85, Subdivision 1.

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

The question was taken on the passage of the bill.

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

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Benson	Johnson	Peterson, D. L.	Ramstad	Ulland
Dicklich	Lindgren			

So the bill passed and its title was agreed to.

S.F. No. 1068: A bill for an act relating to agriculture; authorizing gradual increases in assessments for potato research and promotion; amending Minnesota Statutes 1981 Supplement, Section 30.469.

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

The question was taken on the passage of the bill.

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

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

S.F. No. 1364: A bill for an act relating to local government; providing for the separation of the city and town of Sturgeon Lake and the city of Rutledge and town of Kettle River.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 60 and nays 1, as follows:

Those who voted in the affirmative were:

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

Mr. Pehler voted in the negative.

So the bill passed and its title was agreed to.

S.F. No. 860: A bill for an act relating to municipal land use planning; permitting municipal fees for administrative actions relating to official controls; amending Minnesota Statutes 1980, Sections 462.353, by adding a subdivision; and 462.358, Subdivision 3b; repealing Minnesota Statutes 1980, Section 462.358, Subdivision 4.

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

So the bill passed and its title was agreed to.

S.F. No. 1408: A bill for an act relating to public utilities; prohibiting city jurisdiction over securities or indebtedness of a utility; amending Minnesota Statutes 1980, Sections 216B.36; and 216B.49, Subdivision 5.

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

The question was taken on the passage of the bill.

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

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

CONSENT CALENDAR

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.

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

The question was taken on the passage of the bill.

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

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

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.

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

The question was taken on the passage of the bill.

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

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

GENERAL ORDERS

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

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

S.F. Nos. 786, 787, 1239, 1424 and 1497, which the committee recommends to pass.

On motion of Mr. Solon, 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.

Mr. Bernhagen introduced—

S.F. No. 1783: A bill for an act relating to Independent School District No. 465, Litchfield; authorizing the school board to transfer money from the capital expenditure fund to the general fund before June 30, 1983.

Referred to the Committee on Education.

Ms. Berglin introduced—

S.F. No. 1784: A bill for an act relating to drivers licenses; requiring the suspension of licenses of certain uninsured persons; providing a penalty; proposing new law coded in Minnesota Statutes, Chapter 171.

Referred to the Committee on Commerce.

Messrs. Petty, Spear, Wegener and Keefe introduced—

S.F. No. 1785: A bill for an act relating to intoxicating liquor; brand registration and discrimination in wine sales; amending Minnesota Statutes 1980, Section 340.114, Subdivision 4; and Minnesota Statutes 1981 Supplement, Section 340.621.

Referred to the Committee on Commerce.

Mr. Davis introduced—

S.F. No. 1786: A bill for an act relating to local improvements; providing

for certain local improvements and special assessments; amending Minnesota Statutes 1981 Supplement, Section 429.021, Subdivision 1.

Referred to the Committee on Local Government and Urban Affairs.

Mr. Davis introduced—

S.F. No. 1787: A bill for an act relating to state lands; directing the sale and conveyance of a certain tract.

Referred to the Committee on Agriculture and Natural Resources.

Mr. Lindgren introduced—

S.F. No. 1788: A bill for an act relating to the legislature; providing for the filling of a vacancy in the term of the legislative auditor; amending Minnesota Statutes 1980, Section 3.97, Subdivision 4.

Referred to the Committee on Governmental Operations.

Messrs. Penny, Rued and Sikorski introduced—

S.F. No. 1789: A bill for an act relating to claims against the state; providing for payment of various claims; appropriating money.

Referred to the Committee on Finance.

Messrs. Wegener, Kamrath, Setzepfandt and Mrs. Lantry introduced—

S.F. No. 1790: A bill for an act relating to municipal planning; authorizing towns to plan; providing for standards and criteria for conditional uses and variances; authorizing the establishment of a board for planning in certain areas; amending Minnesota Statutes 1980, Sections 462.352, Subdivision 2; 462.357, Subdivision 6; and 462.36, Subdivision 1; proposing new law coded in Minnesota Statutes, Chapter 462.

Referred to the Committee on Local Government and Urban Affairs.

Messrs. Wegener, Kamrath, Setzepfandt, Pehler and Mrs. Lantry introduced—

S.F. No. 1791: A bill for an act relating to the joint exercise of powers between governmental units; authorizing governmental units to provide services for other governmental units; amending Minnesota Statutes 1980, Section 471.59, by adding a subdivision.

Referred to the Committee on Local Government and Urban Affairs.

Messrs. Wegener, Kamrath, Setzepfandt and Mrs. Lantry introduced—

S.F. No. 1792: A bill for an act relating to towns; authorizing certain towns to exercise special powers; requiring notice; amending Minnesota Statutes 1980, Section 368.01, Subdivisions 1, 30, and by adding a subdivision.

Referred to the Committee on Local Government and Urban Affairs.

Messrs. Wegener, Kamrath, Setzepfandt, Pehler and Mrs. Lantry introduced—

S.F. No. 1793: A bill for an act relating to counties; authorizing the es-

establishment of subordinate service districts in order to provide and finance governmental services; proposing new law coded as Minnesota Statutes, Chapter 375B.

Referred to the Committee on Local Government and Urban Affairs.

Mr. Solon introduced—

S.F. No. 1794: A bill for an act relating to health; providing for evaluation of certain changes in certificate of need review; requiring monitoring; amending the thresholds of review; providing for additional waivers; requiring reports; amending Minnesota Statutes 1980, Sections 145.833, Subdivision 5; and 145.835, Subdivisions 3 and 4; repealing Minnesota Statutes 1980, Sections 145.832 to 145.845, as amended; and Minnesota Statutes 1981 Supplement, Section 62D.22, Subdivision 6.

Referred to the Committee on Health, Welfare and Corrections.

Messrs. Moe, R.D. and Johnson introduced—

S.F. No. 1795: A bill for an act relating to public safety; providing that certain fines and forfeited bail money collected from persons violating motor vehicle weight laws and apprehended by the state patrol by means of stationary or portable scales be allocated between the state and certain political subdivisions; amending Minnesota Statutes 1981 Supplement, Section 299D.03, Subdivision 5.

Referred to the Committee on Transportation.

Messrs. Rued; Taylor; Peterson, D.L. and Lindgren introduced—

S.F. No. 1796: A bill for an act relating to education; eliminating provisions governing review and comment by the commissioner of education for school district construction; amending Minnesota Statutes 1981 Supplement, Section 124.43, Subdivision 1; repealing Minnesota Statutes 1980, Section 122.90.

Referred to the Committee on Education.

Messrs. Peterson, C.C.; Bernhagen; Chmielewski and Rued introduced—

S.F. No. 1797: A bill for an act relating to game and fish; prohibiting harassment of hunters, trappers and fishers; providing penalties; proposing new law coded in Minnesota Statutes, Chapter 97.

Referred to the Committee on Agriculture and Natural Resources.

Ms. Berglin introduced—

S.F. No. 1798: A bill for an act relating to public cemeteries; permitting assessments of public cemetery property; amending Minnesota Statutes 1980, Section 306.14, Subdivision 1.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Frank, Dahl, Mmes. Lantry, Stokowski and Mr. Wegener introduced—

S.F. No. 1799: A bill for an act relating to taxation; income; providing a

credit for home care of the elderly; appropriating money; amending Minnesota Statutes 1980, Section 290.06, by adding a subdivision.

Referred to the Committee on Health, Welfare and Corrections.

Messrs. Pehler, Frederick and Schmitz introduced—

S.F. No. 1800: A bill for an act relating to taxation; sales; abolishing the limitation on the exemption of food relating to certain prepared foods; amending Minnesota Statutes 1981 Supplement, Section 297A.25, Subdivision 1.

Referred to the Committee on Taxes and Tax Laws.

Mr. Dicklich introduced—

S.F. No. 1801: A bill for an act relating to local government; allowing the city of Orr and the town of Leiding to assess the cost of maintenance of television relay service.

Referred to the Committee on Local Government and Urban Affairs.

Messrs. Bertram, Langseth and Benson introduced—

S.F. No. 1802: A bill for an act relating to natural resources; requiring the waste management board to give first priority to incineration and recycling of hazardous wastes and avoidance of land disposal; postponing the certification of a hazardous waste land disposal facility; amending Minnesota Statutes 1981 Supplement, Sections 115A.11, Subdivision 1; and 115A.24, Subdivision 1.

Referred to the Committee on Agriculture and Natural Resources.

Mr. Peterson, C.C. introduced—

S.F. No. 1803: A bill for an act relating to taxation; providing for the imposition of sales tax on certain retail sales of manufactured homes; amending Minnesota Statutes 1981 Supplement, Sections 297A.01, Subdivision 3; 297A.02; and 297A.25, Subdivision 1.

Referred to the Committee on Taxes and Tax Laws.

Mr. Langseth introduced—

S.F. No. 1804: A bill for an act relating to local government; providing that Clay county may levy a gravel tax of up to ten cents per cubic yard; amending Laws 1961, Chapter 605, Section 1.

Referred to the Committee on Taxes and Tax Laws.

Mrs. Kronebusch, Messrs. Frederick, Purfeerst and Engler introduced—

S.F. No. 1805: A bill for an act relating to transportation; providing for the construction of a new bridge crossing the Mississippi River at Wabasha; appropriating money.

Referred to the Committee on Transportation.

Ms. Berglin introduced—

S.F. No. 1806: A bill for an act relating to health; requiring development of a roster to monitor the development of the practice of acupuncture; establishing limited practice standards; providing remedies; prescribing penalties; proposing new law coded in Minnesota Statutes, Chapter 144.

Referred to the Committee on Health, Welfare and Corrections.

Messrs. Dahl, Merriam, Petty, Sieloff and Hanson introduced—

S.F. No. 1807: A bill for an act relating to juveniles; providing that commission of certain offenses constitutes prima facie evidence in reference for prosecution cases; amending Minnesota Statutes 1981 Supplement, Section 260.125, Subdivision 3.

Referred to the Committee on Judiciary.

Mr. Frederickson, Ms. Berglin, Mr. Stern, Mrs. Lantry and Mr. Knutson introduced—

S.F. No. 1808: A bill for an act relating to public welfare; amending the community social services act; removing certain requirements related to biennial plans and the sliding fee for child care; amending Minnesota Statutes 1980, Section 256E.09, Subdivision 4; Minnesota Statutes 1981 Supplement, Sections 245.84, Subdivision 2; and 256E.03, Subdivision 2; repealing Minnesota Statutes 1981 Supplement, Section 256E.07, Subdivisions 2 and 3.

Referred to the Committee on Health, Welfare and Corrections.

Ms. Berglin, Mrs. Kronebusch, Messrs. Sieloff, Dahl and Merriam introduced—

S.F. No. 1809: A bill for an act relating to crimes; providing for the protection of the victims of criminal sexual conduct and intrafamilial sexual abuse; amending Minnesota Statutes 1981 Supplement, Section 15.791, Subdivision 9; proposing new law coded in Minnesota Statutes, Chapter 631.

Referred to the Committee on Judiciary.

Messrs. Dahl, Waldorf, Petty, Humphrey and Knoll introduced—

S.F. No. 1810: A bill for an act relating to energy; directing a pilot program on load management; amending Minnesota Statutes 1980, Section 216B.241, by adding a subdivision.

Referred to the Committee on Energy and Housing.

Messrs. Moe, R.D.; Hughes; Langseth; Peterson, D.L. and Davis introduced—

S.F. No. 1811: A bill for an act relating to education; establishing programs for youth who leave or are likely to leave high school before graduation; authorizing the department of education to award grants and perform certain other duties; appropriating money.

Referred to the Committee on Education.

Messrs. Hughes, Langseth, Wegener, Lindgren and Peterson, R.W. intro-

duced—

S.F. No. 1812: A bill for an act relating to education; allowing a school district flexibility in scheduling hours and days of attendance; requiring state board approval; amending Minnesota Statutes 1980, Section 124.19, by adding a subdivision.

Referred to the Committee on Education.

Mmes. Brataas, Kronebusch, Messrs. Frederick, Nelson and Sikorski introduced—

S.F. No. 1813: A bill for an act relating to public welfare; delaying the duty of the commissioner of administration to sell certain land and buildings; amending Laws 1981, Chapter 360, Article I, Section 2, Subdivision 5.

Referred to the Committee on Finance.

Mr. Hughes, Mrs. Lantry, Messrs. Waldorf and Dahl introduced—

S.F. No. 1814: A bill for an act relating to the city of Maplewood; authorizing a project and the issuance of revenue bonds.

Referred to the Committee on Local Government and Urban Affairs.

Messrs. Kroening; Moe, R.D.; Nelson; Dicklich and Chmielewski introduced—

S.F. No. 1815: A bill for an act relating to economic development; providing for a Minnesota conference on job formation; appropriating money.

Referred to the Committee on Governmental Operations.

Mr. Kamrath introduced—

S.F. No. 1816: A bill for an act relating to retirement; authorizing purchase of prior service credit by a certain member of the public employees retirement association.

Referred to the Committee on Public Employees and Pensions.

Mr. Kamrath introduced—

S.F. No. 1817: A bill for an act relating to waters; allowing local governmental units to discontinue federal flood insurance coverage; amending Minnesota Statutes 1980, Section 104.08, Subdivision 3; proposing new law coded in Minnesota Statutes, Chapter 104.

Referred to the Committee on Agriculture and Natural Resources.

Messrs. Solon, Stern, Bang, Petty and Tennesen introduced—

S.F. No. 1818: A bill for an act relating to credit unions; providing for maximum interest rates on the unpaid balance of loans made by a credit union; making a temporary, superseding interest rate provision permanent; amending Minnesota Statutes 1980, Section 52.14, Subdivision 2; repealing Minnesota Statutes 1980, Section 52.14, Subdivision 1.

Referred to the Committee on Commerce.

Messrs. Renneke, Menning, Schmitz, Purfeerst and Rued introduced—

S.F. No. 1819: A bill for an act relating to partition fences; exempting certain lands from the provisions of chapter 344; providing that when only one owner or occupant is benefited by a fence he shall be assigned the entire expenses of the fence; amending Minnesota Statutes 1980, Section 344.03, Subdivision 1; proposing new law coded in Minnesota Statutes, Chapter 344.

Referred to the Committee on Local Government and Urban Affairs.

Messrs. Renneke, Benson, Mrs. Kronebusch, Messrs. Rued and Ramstad introduced—

S.F. No. 1820: A bill for an act relating to the legislature; limiting the payment of per diem and mileage payable to legislators during an interim period and special sessions; amending Minnesota Statutes 1980, Sections 3.099, Subdivision 1; 3.101; 3.102; and 3.103.

Referred to the Committee on Rules and Administration.

Messrs. Renneke, Lindgren, Sikorski, Spear and Dicklich introduced—

S.F. No. 1821: A bill for an act relating to community corrections; clarifying and harmonizing the provisions of Minnesota Statutes relating to the administrative structure of participating counties, the composition of the corrections advisory board, the powers of probation officers, and the powers and duties of the commissioner of corrections; amending Minnesota Statutes 1980, Sections 401.01, Subdivision 2; 401.02, Subdivisions 1, 3, and 4; 401.06; 401.08, Subdivisions 1 and 2; and 401.13.

Referred to the Committee on Health, Welfare and Corrections.

Messrs. Renneke, Dahl, Taylor and Bernhagen introduced—

S.F. No. 1822: A bill for an act relating to energy; exempting ethanol or fuel alcohol plants from certificate of need requirements; amending Minnesota Statutes 1981 Supplement, Section 116H.13, Subdivision 8.

Referred to the Committee on Agriculture and Natural Resources.

Messrs. Renneke, Schmitz, Rued, Bertram and Bernhagen introduced—

S.F. No. 1823: A bill for an act relating to the environment; requiring the waste management board to consider certain technologies to be feasible and prudent in relation to hazardous waste management; amending Minnesota Statutes 1981 Supplement, Section 115A.24, Subdivision 1.

Referred to the Committee on Agriculture and Natural Resources.

Messrs. Renneke, Schmitz, Rued, Bertram and Bernhagen introduced—

S.F. No. 1824: A bill for an act relating to the environment; establishing a grant program administered by the pollution control agency to stimulate research related to hazardous waste; appropriating money; proposing new law

coded in Minnesota Statutes, Chapter 115A.

Referred to the Committee on Agriculture and Natural Resources.

Messrs. Keefe and Benson introduced—

S.F. No. 1825: A bill for an act relating to the collection and dissemination of data; proposing the classification of certain welfare data as nonpublic; amending Minnesota Statutes 1980, Section 15.1691, Subdivision 6; Minnesota Statutes 1981 Supplement, Sections 15.781, Subdivision 1; and 15.791, Subdivision 9.

Referred to the Committee on Judiciary.

Messrs. Hanson and Rued introduced—

S.F. No. 1826: A bill for an act relating to agriculture; setting a standard of proof and procedures for decision and appeal for claims of damage to livestock by endangered species; amending Minnesota Statutes 1980, Section 3.737, by adding a subdivision.

Referred to the Committee on Agriculture and Natural Resources.

Messrs. Keefe, Ramstad and Knutson introduced—

S.F. No. 1827: A bill for an act relating to crimes; authorizing the district court to sentence up to the statutory maximum; amending Minnesota Statutes 1980, Section 244.10, Subdivision 2, and by adding a subdivision.

Referred to the Committee on Judiciary.

Messrs. Keefe, Luther, Pillsbury and Dahl introduced—

S.F. No. 1828: A bill for an act relating to commerce; regulating certain sales of wood as fuel; requiring standard measurements and delivery ticket or sales invoices; providing exceptions; amending Minnesota Statutes 1980, Section 325E.01; and proposing new law coded in Minnesota Statutes, Chapter 239.

Referred to the Committee on Commerce.

Mr. Luther, Ms. Berglin, Messrs. Sikorski, Dieterich and Davies introduced—

S.F. No. 1829: A bill for an act relating to landlords and tenants; prohibiting screening fees; providing remedies; providing penalties; proposing new law coded in Minnesota Statutes, Chapter 504.

Referred to the Committee on Judiciary.

Mr. Lindgren introduced—

S.F. No. 1830: A bill for an act relating to highway traffic regulations; requiring the use of child passenger restraint systems for certain children under the age of four years; prescribing penalties; amending Minnesota Statutes 1980, Section 169.685, by adding a subdivision; repealing Minnesota Statutes

1981 Supplement, Section 169.685, Subdivision 5.

Referred to the Committee on Transportation.

Messrs. Lindgren and Benson introduced—

S.F. No. 1831: A bill for an act relating to education; authorizing school boards to transfer certain funds from the capital expenditure fund to the general fund before June 30, 1983.

Referred to the Committee on Education.

Mr. Frederickson, Mrs. Stokowski, Messrs. Bertram, Setzepfandt and Benson introduced—

S.F. No. 1832: A bill for an act relating to homestead exemptions; changing the time period for which a homestead is deemed to be abandoned through failure to occupy; amending Minnesota Statutes 1980, Section 510.07.

Referred to the Committee on Taxes and Tax Laws.

Mr. Ulland introduced—

S.F. No. 1833: A bill for an act relating to taxation; extending the redemption period for certain tax-forfeited land.

Referred to the Committee on Taxes and Tax Laws.

Ms. Berglin, Messrs. Knoll, Dicklich, Mrs. Stokowski and Mr. Lindgren introduced—

S.F. No. 1834: A bill for an act relating to human rights; including sexual harassment as a form of unfair discriminatory practices for certain purposes; amending Minnesota Statutes 1980, Section 363.01, Subdivision 10, and by adding a subdivision.

Referred to the Committee on Judiciary.

Mr. Frederick, Mrs. Brataas and Mr. Ramstad introduced—

S.F. No. 1835: A bill for an act relating to workers' compensation; changing benefits; providing for rehabilitation; requiring notices of injury; providing for the release of medical data; regulating supplemental benefits; providing for benefit adjustments; providing for various studies; defining terms; providing for continuance of certain insurance coverages; amending Minnesota Statutes 1980, Sections 62A.10, Subdivision 10; 62C.14, by adding a subdivision; 62D.10, by adding a subdivision; 176.011, Subdivision 3, and by adding subdivisions; 176.111, Subdivision 18; 176.131, Subdivisions 1, 1a, and 8; 176.132, Subdivision 1; 176.235, by adding a subdivision; and 176.641; Minnesota Statutes 1981 Supplement, Sections 176.021, Subdivision 3; 176.131, Subdivision 10; 176.132, Subdivision 2; 176.221, Subdivisions 1, 2, and 3; and 176.645, Subdivision 1; proposing new law coded in Minnesota Statutes, Chapter 176; repealing Minnesota Statutes 1980, Sections 176.011, Subdivisions 14 and 18; 176.095; 176.101, as amended; 176.102, as amended; 176.105, as amended; 176.111, as amended; and 176.235, Subdivisions 1 and 2; Minnesota Statutes 1981 Supplement, Sections 176.021,

Subdivision 3a; and 176.152.

Referred to the Committee on Employment.

Messrs. Frederickson, Rued, Berg, Belanger and Renneke introduced—

S.F. No. 1836: A bill for an act relating to the operation of state government; providing procedures for state mandating of local government functions; allowing for certain mandated functions to be discretionary; modifying the requirements of certain other mandated activities; amending Minnesota Statutes 1980, Sections 18.231, Subdivisions 1, 2, and 3; 162.04; 162.10; 169.14, Subdivision 5; 344.01; 373.01, by adding a subdivision; 373.052, Subdivision 1; 375.12, Subdivision 1; 394.01; 403.01, Subdivision 1; 410.19; and 477A.04, Subdivision 1; Minnesota Statutes 1981 Supplement, Section 477A.04, Subdivision 2; proposing new law coded in Minnesota Statutes, Chapter 10.

Referred to the Committee on Governmental Operations.

Messrs. Knutson, Lindgren, Solon, Spear and Mrs. Lantry introduced—

S.F. No. 1837: A bill for an act relating to health; establishing a permanent council on health promotion and wellness; appropriating money; proposing new law coded in Minnesota Statutes, Chapter 145.

Referred to the Committee on Health, Welfare and Corrections.

Mr. Lindgren introduced—

S.F. No. 1838: A bill for an act relating to administrative procedures; providing for notice of temporary rulemaking; amending Minnesota Statutes 1981 Supplement, Section 15.0412, Subdivision 5.

Referred to the Committee on General Legislation and Administrative Rules.

Messrs. Pehler, Waldorf, Belanger and Penny introduced—

S.F. No. 1839: A bill for an act relating to transportation; modifying the provisions for financial assistance for certain services under the metropolitan transit service demonstration program; amending Minnesota Statutes 1981 Supplement, Section 174.265, Subdivision 4.

Referred to the Committee on Transportation.

Messrs. Tennesen, Ashbach, Bang, Solon and Johnson introduced—

S.F. No. 1840: A bill for an act relating to commerce; providing for a determination of when certain property held by a financial institution or business organization is presumed abandoned; amending Minnesota Statutes 1980, Sections 345.32, as amended; and 345.39, as amended.

Referred to the Committee on Commerce.

Messrs. Waldorf, Olhoft, Knoll, Tennesen and Frederick introduced—

S.F. No. 1841: A bill for an act relating to the legislature; establishing a

legislative science and technology resource council; providing for its powers and duties; proposing new law coded in Minnesota Statutes, Chapter 3.

Referred to the Committee on Rules and Administration.

Mr. Purfeerst, Mrs. Lantry, Messrs. Menning and Peterson, R.W. introduced—

S.F. No. 1842: A bill for an act relating to transportation; establishing a highway maintenance cost containment council.

Referred to the Committee on Transportation.

Mr. Bernhagen introduced—

S.F. No. 1843: A bill for an act relating to public employment; providing for an optional separate bargaining unit for teachers at area vocational-technical institutes; amending Minnesota Statutes 1980, Section 179.63, Subdivision 17; proposing new law coded in Minnesota Statutes, Chapter 179.

Referred to the Committee on Public Employees and Pensions.

Mr. Chmielewski introduced—

S.F. No. 1844: A bill for an act relating to state government; regulating the data practices of the department of economic security; amending Minnesota Statutes 1980, Section 268.12, Subdivision 12.

Referred to the Committee on Employment.

Messrs. Engler and Schmitz introduced—

S.F. No. 1845: A bill for an act relating to metropolitan government; providing for the management of waste resulting from sewage treatment; requiring a study and certification of need before the establishment of new disposal facilities; amending Minnesota Statutes 1980, Section 473.153, by adding subdivisions.

Referred to the Committee on Agriculture and Natural Resources.

Messrs. Engler and Schmitz introduced—

S.F. No. 1846: A bill for an act relating to metropolitan solid waste management; allowing the removal of the moratorium on development at certain sites; amending Minnesota Statutes 1981 Supplement, Section 473.803, Subdivision 1a.

Referred to the Committee on Agriculture and Natural Resources.

Messrs. Wegener, Setzepfandt, Renneke, Davis and Langseth introduced—

S.F. No. 1847: A bill for an act relating to agriculture; formulating a state agricultural land preservation policy; imposing duties on state agencies regarding agency actions adversely affecting agricultural land; continuing the existence of the joint legislative committee on agricultural land preservation; allocating certain state cost-sharing funds for high priority soil erosion, sedi-

mentation and water control problems identified by local soil and water conservation districts; imposing duties on state and local soil and water conservation boards; providing technical and administrative assistance grants to local districts; requiring coordination of state soil and water conservation programs with other public agencies; establishing a conservation tillage demonstration program; appropriating money; amending Minnesota Statutes 1980, Sections 15.0412, by adding a subdivision; 40.03, Subdivision 4; 40.036; 40.07, Subdivision 9; and Laws 1979, Chapter 315, Section 2; proposing new law coded in Minnesota Statutes, Chapters 17 and 40; repealing Minnesota Statutes 1980, Section 473H.13; and Laws 1979, Chapter 315, Section 1.

Referred to the Committee on Agriculture and Natural Resources.

Messrs. Nelson, Chmielewski, Kroening and Dicklich introduced—

S.F. No. 1848: A bill for an act relating to labor; extending the time period for wage claim actions; amending Minnesota Statutes 1980, Sections 541.05, Subdivision 1; and 541.07.

Referred to the Committee on Judiciary.

Messrs. Nelson, Chmielewski, Kroening and Dicklich introduced—

S.F. No. 1849: A bill for an act relating to workers' compensation; regulating interest rates on payments; amending Minnesota Statutes 1981 Supplement, Section 176.221, Subdivision 7.

Referred to the Committee on Employment.

Messrs. Nelson, Chmielewski, Kroening and Dicklich introduced—

S.F. No. 1850: A bill for an act relating to workers' compensation; regulating reports of injury or death; providing a penalty; amending Minnesota Statutes 1980, Section 176.231, Subdivision 10.

Referred to the Committee on Employment.

Messrs. Nelson, Chmielewski, Kroening and Dicklich introduced—

S.F. No. 1851: A bill for an act relating to workers' compensation; redefining the term "daily wage"; amending Minnesota Statutes 1980, Section 176.011, Subdivision 3.

Referred to the Committee on Employment.

Messrs. Nelson, Chmielewski, Kroening and Dicklich introduced—

S.F. No. 1852: A bill for an act relating to workers' compensation; redefining the term "weekly wage;" amending Minnesota Statutes 1980, Section 176.011, Subdivision 18.

Referred to the Committee on Employment.

Messrs. Davies and Schmitz introduced—

S.F. No. 1853: A bill for an act relating to agriculture; eliminating certain

provisions relating to abstracts of mortgages and liens on grain crops; repealing Minnesota Statutes 1980, Sections 386.42 and 386.43.

Referred to the Committee on Judiciary.

Mr. Davies introduced—

S.F. No. 1854: A bill for an act relating to state and local governments; providing hearing and judicial review provisions applicable to rejected bidders on public contracts; amending Minnesota Statutes 1980, Section 16.08; proposing new law coded in Minnesota Statutes, Chapter 471.

Referred to the Committee on Governmental Operations.

Mr. Davies introduced—

S.F. No. 1855: A bill for an act relating to insurance; eliminating certain mandatory filings with the commissioner of insurance; repealing Minnesota Statutes 1980, Section 72A.062.

Referred to the Committee on Commerce.

Messrs. Spear and Nelson introduced—

S.F. No. 1856: A bill for an act relating to state government; improving the state's personnel management functions; amending Minnesota Statutes 1980, Sections 6.582; 11A.07, Subdivision 4; 12.04, Subdivision 1; 15.0575, Subdivision 3; 15.059, Subdivision 3; 15.43, Subdivision 1; 60B.09, Subdivision 2; 84.028, Subdivision 3; 84.081, Subdivision 1; 85A.03, Subdivision 2; 86.51; 124.645, Subdivision 3; 128A.02, Subdivision 3; 136A.55, Subdivision 4; 144A.52, Subdivision 2; 168.325, Subdivision 1; 171.015, Subdivision 1; 216A.04, Subdivision 3; 241.64, Subdivision 3; 241.65; 246.017, Subdivision 2; 268.14, Subdivision 6; 299E.01, Subdivision 1; 299F.01, Subdivision 2; amending Minnesota Statutes 1981 Supplement, Sections 3.855, Subdivision 3; 43A.02, Subdivision 28; 43A.04, Subdivisions 3, 4, and by adding a subdivision; 43A.08, Subdivisions 1, 3, and by adding subdivisions; 43A.11, Subdivisions 3, 4, 7 and 8; 43A.13, Subdivisions 1, 4 and 5; 43A.15, Subdivisions 6 and 10; 43A.17, Subdivision 4; 43A.18, Subdivisions 3 and 4; 43A.19, Subdivision 1; 43A.27, Subdivision 3; 43A.33, Subdivisions 1, 3 and 4; 43A.37, Subdivision 1; 43A.38; 43A.39; 43A.42; 43A.44, Subdivision 2; 124.41, Subdivision 3; 254A.03, Subdivision 1; Laws 1971, Extra Session, Chapter 3, Section 19, Subdivision 5; Laws 1980, Chapter 564, Article XII, Section 1, Subdivision 6; Laws 1981, Chapter 210, Section 55; repealing Minnesota Statutes 1980, Sections 12.05; 124.615, Subdivision 3; 190.081; and 190.095; and Minnesota Statutes 1981 Supplement, Section 43A.08, Subdivision 2.

Referred to the Committee on Public Employees and Pensions.

Mr. Hughes introduced—

S.F. No. 1857: A bill for an act relating to education; authorizing a school board to charge fees for summer programs; authorizing summer programs to include community education programs, community recreation programs, improved learning programs and elementary and secondary summer school

programs; authorizing school districts to use aid for improved learning programs, aid for community education programs and the proceeds of community education levies for summer programs; amending Minnesota Statutes 1980, Sections 120.73, Subdivision 1; 124.271, as amended; 275.125, by adding a subdivision; Minnesota Statutes 1981 Supplement, Section 124.251; 275.125, Subdivision 8; proposing new law coded in Minnesota Statutes, Chapter 121.

Referred to the Committee on Education.

Mr. Hughes introduced—

S.F. No. 1858: A bill for an act relating to education; authorizing school districts to develop programs enabling secondary students to attend courses at post secondary institutions; proposing new law coded in Minnesota Statutes, Chapter 123.

Referred to the Committee on Education.

Mr. Willet introduced—

S.F. No. 1859: A bill for an act relating to forestry; establishing a forest research management policy and plan; realignment of forestry boundaries; establishing a forest management fund and accounting system; making various changes in forestry laws; amending Minnesota Statutes 1980, Sections 16A.125, Subdivision 5; 89.001, Subdivision 6, and by adding subdivisions; 89.01, Subdivision 6; 89.021, Subdivision 1; 89.036; 89.37, Subdivisions 2, 3, 3a, and 4; 90.251, Subdivisions 1 and 4; 197.447; 282.01, Subdivisions 1 and 3; 282.02; and 282.132; Minnesota Statutes 1981 Supplement, Section 282.04, Subdivision 1; proposing new law coded in Minnesota Statutes, Chapters 88, 89, 90, and 282; repealing Minnesota Statutes 1980, Sections 282.031; 282.032; 282.033; 282.034; 282.035; 282.036; and 282.037.

Referred to the Committee on Agriculture and Natural Resources.

Messrs. Hanson, Nelson, Luther, Ashbach and Spear introduced—

S.F. No. 1860: A bill for an act relating to public improvements; authorizing the acquisition and betterment of public land and buildings and other improvements of a capital nature relating to public communications; authorizing issuance of state bonds; appropriating money.

Referred to the Committee on Finance.

Mr. Dieterich introduced—

S.F. No. 1861: A bill for an act relating to tax exempt property; providing for certain payments to the state by the state agricultural society, the metropolitan airports commission and the metropolitan sports facilities commission; amending Minnesota Statutes 1980, Sections 473.556, Subdivision 4; and 473.608, Subdivision 2; proposing new law coded in Minnesota Statutes, Chapters 37 and 473.

Referred to the Committee on Education.

Messrs. Knoll, Humphrey, Johnson, Luther and Ulland introduced—

S.F. No. 1862: A bill for an act relating to taxation; providing energy credits for property providing a certain thermal integrity factor; extending the time when the credit will be available; amending Minnesota Statutes 1981 Supplement, Section 290.06, Subdivision 14.

Referred to the Committee on Energy and Housing.

Without objection, the Senate reverted to the Order of Business of Motions and Resolutions.

MOTIONS AND RESOLUTIONS

Mrs. Lantry moved that Senate Concurrent Resolution No. 8 be withdrawn from the Committee on Rules and Administration. The motion prevailed.

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

WHEREAS, Minnesota women of every race, class, religion, and ethnic background helped found the State of Minnesota in countless recorded and unrecorded ways, among the earliest Native American settlers and as guides, pioneers, nurses, nuns, homemakers, industrial workers, teachers, reformers, scholars, businesswomen, and citizens; and,

WHEREAS, Minnesota women have played from the earliest days and continue to play a critical economic role in every sphere of our state's life by constituting a significant portion of the labor force working inside and outside the home; and,

WHEREAS, Minnesota women of diverse cultures have played and continue to play a unique role in the development of early cultural and social institutions, as volunteers in charitable and philanthropic organizations caring for the underprivileged, and as artists and supporters of drama, art, poetry, literature, music, and architecture; and,

WHEREAS, Minnesota women served as early leaders and continue to serve in the forefront of every major social change movement, not only to secure their own rights of suffrage and equal opportunity, but also in the abolitionist movement, the emancipation movement, the industrial labor union movement, and the modern civil rights movement; and,

WHEREAS, despite the significance and scope of women's contributions in the making of history and in the development of society and culture, the role of Minnesota women has consistently been overlooked and undervalued in history books and seldom mentioned in educational curricula; and,

WHEREAS, March 8, 1982 is the 74th anniversary of International Women's Day, and the United States Congress has set aside the week of March 7, 1982 to observe and celebrate the contributions of women to American society; NOW, THEREFORE,

BE IT RESOLVED by the Senate of the State of Minnesota, the House of Representatives concurring, that the second week of March is permanently designated as Women's History Week throughout the State of Minnesota. The people are urged to observe the week with appropriate ceremonies and celebrations.

Mrs. Lantry moved the adoption of the foregoing resolution. The motion

prevailed. So the resolution was adopted.

Mr. Moe, D.M. moved that the names of Mr. Dieterich and Ms. Berglin be added as co-authors to S.F. No. 1239. The motion prevailed.

S.F. No. 818 and the Conference Committee Report thereon were reported to the Senate.

CONFERENCE COMMITTEE REPORT ON S.F. NO. 818

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.

February 3, 1982

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

That the House recede from its amendment and that S.F. No. 818 be amended as follows:

Delete everything after the enacting clause and insert:

“Section 1. Minnesota Statutes 1980, Section 84.111, is amended by adding a subdivision to read:

Subd. 5. Notwithstanding the provisions of subdivisions 1 to 3, any person holding fee title to all property surrounding a body of public waters may use mechanical harvesting devices to harvest wild rice in those waters. This subdivision does not apply to:

(a) Any body of public waters greater than 125 acres in size;

(b) Any body of public waters to which the public has access directly or through a channel or watercourse; or

(c) Harvesting of wild rice for use or sale by any person other than the owner of the surrounding property.

Sec. 2. Minnesota Statutes 1980, Section 97.48, Subdivision 24, is amended to read:

Subd. 24. The commissioner may limit the number of persons who may hunt deer or bear, when he determines that the game supply or area open to hunting is too small for unrestricted hunting, and he may establish by order any practicable method, including a drawing, for impartially determining the persons who may hunt in such areas.

Sec. 3. Minnesota Statutes 1980, Section 97.4841, Subdivision 2, is amended to read:

Subd. 2. [STAMP REQUIRED.] *Except for residents under the age of 18 and over the age of 65 years, no person over the age of 18 and under the age of*

65 years who is otherwise required to possess a Minnesota small game license shall hunt or take migratory waterfowl within this state without first purchasing a stamp and having the stamp in his possession while hunting or taking migratory waterfowl. Each stamp shall be validated by the signature of the licensee written across its face. The commissioner shall determine the form of the stamp and shall furnish and distribute stamps to county auditors for sale by them and their authorized subagents as prescribed by order of the commissioner. The commissioner shall encourage the purchase of stamps by nonhunters who are interested in the preservation and development of habitat for migratory waterfowl. People who are hunting on their own property shall not be required to possess a Minnesota waterfowl stamp.

Sec. 4. Minnesota Statutes 1980, Section 97.49, Subdivision 1a, is amended to read:

Subd. 1a. (a) For purposes of this subdivision, "deer license" means a license issued by the commissioner under the provisions of section 98.46, subdivision 2, clauses (2) and (3) and subdivision 14, clauses (2) and (3).

(b) It is the policy of this state that at least \$1 \$2 from each deer license issued by the commissioner shall be used for the purpose of deer habitat improvement.

Sec. 5. Minnesota Statutes 1980, Section 98.45, Subdivision 1, is amended to read:

Subdivision 1. Except as specifically permitted in chapters 97 to 102, no person may take, buy, sell, transport, or possess any protected wild animals of this state or any aquatic plants without first procuring a license therefor as provided in section 98.46 or in section 98.48. Every license is issued for a year beginning on the first day of March and is void after the last day of the open season or the lawful time within that year during which the acts authorized may be performed. Except as provided in this section, no license to take deer with firearm or with bow and arrow may be issued after the day prior to the first day of the regular rifle season, and all license agents shall return all stubs and unsold license blanks to the county auditor on the first business day following the first day of such season. *A license to take deer with bow and arrow issued after the opening of the bow and arrow deer season shall not be valid until the fifth day after it is issued.* A resident who is discharged from the military or naval forces of the United States, or any active reserve or component thereof, during the regular season for taking deer by firearm or within ten days before its commencement, may be issued, at any time during the firearm deer season and upon a showing of his official discharge paper, a license to take deer with firearm. Only one license of each kind, except as authorized by order of the commissioner adopted pursuant to section 97.53 and except the non-resident short term angling license, may be issued to a person in any licensing year. No license may be transferred except as expressly authorized.

Sec. 6. Minnesota Statutes 1980, Section 98.47, Subdivision 7, is amended to read:

Subd. 7. No license to buy or sell fish or to take fish commercially in international waters extending from Pigeon Point West to the North Dakota boundary line shall be issued to any person or member of his the person's household, or employee, engaged in the business of conducting a summer

resort.

Sec. 7. Minnesota Statutes 1980, Section 98.52, Subdivision 1, is amended to read:

Subdivision 1. Except as otherwise provided herein, the license of any person who is convicted of violating any provisions of chapters 97 to 102, or any order or regulation duly prescribed by the commissioner under authority thereof, relating to the license or to the wild animals covered thereby, shall immediately become null and void, and no big game license of any kind shall be issued to such person for three years after the date of:

(1) A conviction for a violation relating to big game which is classified as a gross misdemeanor, or for doing any act without a big game license for which chapters 97 to 102 require a big game license, or;

(2) A second conviction within a three year period for any other violation of chapters 97 to 102 relating to big game; or

(3) *A conviction for taking any big game animal out of season.*

No license of the kind related to the conviction shall be issued to ~~such~~ a person for one year after the date of conviction if the license is other than a big game license. Every person convicted of doing anything without a license for which chapters 97 to 102 require a license, shall forfeit ~~his~~ *their* right to secure ~~such a~~ *that* license for a period of one year from a conviction other than a conviction related to big game.

Sec. 8. Minnesota Statutes 1980, Section 99.27, Subdivision 1, is amended to read:

Subdivision 1. Breeding and propagating fur-bearing animals, game birds, *bear* or deer, shall be authorized under license only upon privately owned or leased lands and waters. "Private waters," as used herein, includes all bodies of waters or streams, whether meandered or not, of a shallow, swampy, marshy, or boggy nature, not navigable in fact, and of no substantial beneficial use to the general public. The owner or lessee, applying for the license, shall have first enclosed the area, in the manner approved by the commissioner, sufficiently to confine the respective birds or animals to be raised thereon. Licenses shall be granted only in cases where the commissioner finds the application is made in good faith with intention to actually carry on the business described in the application and where the facilities, in his judgment, are adequate therefor.

Sec. 9. Minnesota Statutes 1980, Section 100.27, Subdivision 1, is amended to read:

Subdivision 1. Except as otherwise specifically provided, there shall be no open season on elk, caribou, antelope, marten, *cougar*, or wolverine.

Sec. 10. Minnesota Statutes 1980, Section 100.29, Subdivision 3, is amended to read:

Subd. 3. ~~It shall be unlawful to have in possession out of doors, except upon target ranges operated under a permit from the commissioner, unless unloaded and contained in a gun case, or unloaded and broken down:~~

(1) ~~Any rifle or handgun, except a 22 caliber rim-fire rifle or handgun~~

carried for the sole purpose of taking small game when lawful and using 22 caliber short, long, or long rifle bullets, or any shotgun with slugs, in any territory wherein there is an open season for taking deer with firearms, for a period of ten days preceding and five days succeeding such season;

(2) Any rifle, except those described in this clause, in a territory open for the taking of deer with shotguns and slugs but not with rifles, during such season; (a) smooth-bore muzzle loading muskets of not less than 45 caliber and rifle muzzle loading muskets of not less than 40 caliber that are incapable of being loaded at the breech, may be possessed and used for the hunting of deer during such open season and (b) 22 caliber rim-fire rifles or handguns carried for the sole purpose of taking small game when lawful and using 22 caliber short, long, or long rifle bullets, may be possessed and used during such open deer season;

(3) Any slugs for use in a shotgun in any territory open for the taking of deer with firearms during the open season, except for slugs carried for the sole purpose of taking deer or bear. Within any area where deer may be taken by firearms, it shall be unlawful during the period beginning the tenth day before the open firearms season and ending the fifth day after the close of the season, inclusive, to have any firearm or ammunition in possession out of doors other than:

(1) Shotguns using shot;

(2) Handguns and rifles using .22 caliber short, long and long rifle cartridges; and

(3) Firearms described in subdivision 9, as legal for taking big game subject to weapon zone restrictions as prescribed by the commissioner, provided the bearer has a big game license on his person and is afield during the time and within the area the big game license is valid.

Except for pistols and revolvers carried in compliance with sections 624.714 to 624.715 and firearms in possession upon target ranges operated under a permit from the commissioner, all firearms carried out of doors other than in conformity with this subdivision must be unloaded and contained in a case or unloaded and contained in the trunk of a car with the trunk door closed.

Sec. 11. Minnesota Statutes 1980, Section 100.29, Subdivision 9, is amended to read:

Subd. 9. Except as provided in subdivision 3, and in this subdivision, it shall be unlawful to take deer, moose, or any other wild animal during deer or moose season in open deer or moose hunting territory with a rifle or firearm which discharges a projectile, the diameter of which is less than twenty-three hundredths of an inch, or to use any cartridge less than 1-3/4 inches in length, and not containing a soft point or expanding bullet, the measurement to include the cartridge or shell and the bullet seated in the usual manner, provided cartridges of 35 caliber or larger may be used, regardless of length, or to use shells containing buckshot, or fine shot except for game birds, and except that smooth-bore muzzle loading muskets of not less than 45 caliber and rifled muzzle loading muskets of not less than 40 caliber that are incapable of being loaded at the breech may be used, and provided further that handguns of the .357, .41, and .44 magnum caliber, using ammunition with a case length of not less than 1.285 inches, and other calibers of similar performance as deter-

~~mined by the commissioner, may be used to take deer, moose, bear, or any wild animal. A firearm or ammunition may be used to take big game if it meets the following requirements:~~

(1) Handguns, rifles, shotguns and all projectiles used therein shall be at least 23/100ths of an inch in caliber;

(2) All firearms shall be loaded only with ammunition containing single projectiles;

(3) All projectiles shall be of a soft point or an expanding bullet type;

(4) All ammunition shall have a case length of at least 1.285 inches; and

(5) Muzzleloaders must be incapable of being loaded at the breech. Smooth-bore muzzleloaders shall be at least .45 caliber and rifled muzzleloaders shall be at least .40 caliber.

It is unlawful to take big game with a .30 caliber M-1 carbine cartridge or with any other firearm or ammunition which does not meet the requirements provided in clauses (1) to (5).

Sec. 12. Minnesota Statutes 1981 Supplement, Section 98.46, Subdivision 4, is amended to read:

Subd. 4. Fees for the following licenses, to be issued to residents only, shall be:

(1) To trap fur bearing animals, ~~except beaver~~, for residents over the age of 13 and under the age of 18, \$3.50;

(2) To trap fur bearing animals, ~~except beaver~~, for residents 18 years of age and older, \$13;

(3) To buy or sell raw furs anywhere within the state including the privilege of selling to resident manufacturers or to unlicensed non-residents, representing unlicensed non-residents as a broker or agent, or conducting a fur auction wherein sales are made to unlicensed non-residents or resident manufacturers, \$100, provided that any employee, partner or officer buying or selling at the established place of business only for the licensee may secure a supplemental license for \$50;

(4) ~~To trap beaver during an open season or by permit when doing damage, \$2.50;~~

~~(5) To guide bear hunters, \$75.~~

Sec. 13. Minnesota Statutes 1981 Supplement, Section 98.46, Subdivision 14, is amended to read:

Subd. 14. Fees for the following licenses, to be issued to nonresidents, shall be:

(1) To take small game and unprotected quadrupeds with firearms and bow and arrows, \$35;

(2) To take deer and unprotected quadrupeds with firearms ~~and bow and arrows~~, \$75;

(3) To take deer and unprotected quadrupeds with a bow and arrows only, ~~\$35~~ \$75;

(4) To take bear, \$100;

(5) To take turkeys, \$30, in addition to a small game license;

(6) To hunt raccoon, bobcat, fox, coyote, or Canada lynx, with or without dogs, \$100, in addition to nonresident small game license.

Sec. 14. Minnesota Statutes 1980, Section 98.46, Subdivision 21, is amended to read:

Subd. 21. The commissioner may by order require every licensee to tag any fur bearing animal at the place where ~~trapped, beaver, fisher or otter taken.~~ The tag ~~will~~ shall be of a type prescribed by the commissioner and bearing the license number of the owner and the year of its issue. Tags ~~will~~ shall be issued with the license upon request of the licensee in a manner prescribed by the commissioner at no additional cost. ~~During the calendar years 1977 and 1978 the commissioner shall require the tagging of fisher in the manner designated in this subdivision.~~

Sec. 15. Minnesota Statutes 1980, Section 98.46, Subdivision 26, is amended to read:

Subd. 26. No nonresident shall possess or transport a raccoon, bobcat, Canada lynx, or fox taken in this state unless a tag of a type prescribed by the commissioner is affixed to the carcass. The number of tags which the commissioner shall prescribe by order will be issued with every nonresident license to take raccoon, bobcat, Canada lynx, or fox provided no such license or tags shall be issued after the fifth day from the commencement of the season for that licensing year.

Sec. 16. Minnesota Statutes 1981 Supplement, Section 97.4842, Subdivision 1, is amended to read:

Subdivision 1. [STAMP REQUIRED.] No person over the age of 18 and under the age of 65 years who is otherwise required to possess a Minnesota fishing license shall take trout by angling angle in any stream designated by the commissioner as a trout stream within this state without first purchasing a stamp and having the stamp in his possession while angling for trout in any such trout stream. Each stamp shall be validated by the signature of the licensee written across its face. The commissioner shall determine the form of the stamp and shall furnish and distribute stamps to county auditors for sale by them and their authorized subagents as prescribed by order of the commissioner. The commissioner shall encourage the purchase of stamps by any persons who are interested in the improvement of trout streams.

Sec. 17. Minnesota Statutes 1981 Supplement, Section 98.50, Subdivision 5, is amended to read:

Subd. 5. Any resident desiring to sell the licenses referred to in subdivision 1 may either purchase for cash or obtain on consignment license blanks from a county auditor in groups of not less than five non-resident, and ten resident license blanks. In addition to the basic license fee, he shall collect a fee for issuing each license in the amount of \$1 for the license to take deer and for the sportsman license authorized in section 98.46, subdivision 2a, and 75 cents for all other licenses. The state migratory waterfowl stamp required by section 97.4841, the trout stamp required by section 97.4842, and any other similar state stamp required by statute, each shall be considered to be a "license"

within the meaning of this subdivision except when such stamp and a small game or other appropriate license are issued in the same transaction in which case the stamp shall be considered a part of the small game appropriate license and only one issuing fee shall be collected. In selling such licenses, he shall be deemed an agent of the county auditor and the commissioner, and he shall observe all rules and regulations promulgated by the commissioner for the accounting for and handling of such licenses.

The county auditor shall promptly deposit all moneys received from the sale of licenses with the county treasurer, and shall promptly transmit such reports as may be required by the commissioner, together with his warrant on the county treasurer for 100 percent of the surcharge imposed by section 97.482 plus 96 percent of the price to the licensee, exclusively of said surcharge and the issuing fee, for each license sold or consigned by him and subsequently sold to a licensee during the accounting period. The county auditor shall retain as his commission four percent of all license fees, excluding issuing fees for licenses consigned to subagents. In addition, for licenses sold for cash directly to the licensee, the auditor shall collect the same issuing fee as a subagent. Unsold license blanks in the hands of any agent shall be redeemed by the commissioner if presented for redemption within the time prescribed by the commissioner therefor. Any license blanks not presented for redemption within the period prescribed shall be conclusively presumed to have been sold, and the agent possessing the same or to whom they are charged shall be accountable therefor. The commissioner shall collect the same issuing fee as a subagent for licenses sold directly through a license distribution center operated by the department of natural resources. The issuing fees so collected by the commissioner shall be credited to the game and fish fund.

Sec. 18. Minnesota Statutes 1980, Section 101.42, Subdivision 7, is amended to read:

Subd. 7. Except as otherwise specifically permitted, it shall be unlawful to buy or sell any fish taken from the waters of this state, except rough fish and minnows, fish raised in a private hatchery when tagged or labeled as prescribed by the commissioner, fish taken under licensed commercial fishing operations, or lawfully taken and subject to sale from other states or countries; provided, black bass, rock bass, muskellunge, and sunfish may not be bought or sold in this state *except when bought or sold by a private hatchery in accordance with procedures and restrictions prescribed by order of the commissioner for the purpose of stocking waters for recreational fishing.*

Sec. 19. Minnesota Statutes 1980, Section 100.29, Subdivision 5, is amended to read:

Subd. 5. Except as permitted by section 98.48, subdivision 10, it ~~shall be~~ is unlawful to take any wild animal by ~~means of~~ discharging any firearm or bow and arrow ~~thereat~~ from a motor vehicle or airplane or snowmobile, ~~or to transport any firearm.~~ Except for a pistol or revolver *carried in compliance with sections 624.714 and 624.715, it is unlawful to transport any firearm, including a muzzle loading firearm, in a motor vehicle or airplane or snowmobile, unless (1) the same firearm is unloaded in both barrels and magazine and completely contained in a gun case expressly made for that purpose which is fully enclosed by being zipped, snapped, buckled, tied, or otherwise fastened, with no portion of the firearm exposed, or unless (2) the firearm is*

unloaded and contained in the trunk of the a car with the trunk door closed. It is also unlawful to transport the following a bow and arrow in a motor vehicle, airplane, or snowmobile: (1) a bow and arrow unless (1) unstrung or, (2) completely contained in a case, or unless (3) contained in the trunk of the car with the trunk door closed; (2) a muzzle loading firearm unless fully unloaded and completely contained in a gun case expressly made for that purpose which is fully enclosed by being zipped, snapped, buckled, tied, or otherwise fastened, with no portion of the firearm exposed, and in the closed trunk of a car or rear-most location of a vehicle. A muzzle loading firearm with a flintlock ignition is fully unloaded if it has no priming powder in any pan and a muzzle loading firearm with percussion ignition is fully unloaded if it has no percussion cap on any nipple. Subject to the requirements of subdivision 17, migratory waterfowl may be taken from a floating craft including those propelled by motor, sail and wind, or both, if the motor is shut off and the sails are furled, the progress of the craft caused by such propulsion has ceased, and the craft is drifting, beached, moored, resting at anchor, or is being propelled by paddle, oars, or pole.

Sec. 20. Minnesota Statutes 1980, Section 101.42, is amended by adding a subdivision to read:

Subd. 1a. No muskellunge less than 36 inches in length may be taken in any waters north of trunk highway No. 210.

Sec. 21. [REPEALER.]

Minnesota Statutes 1980, Sections 98.46, Subdivision 20 and 101.42, Subdivision 10, are repealed.

Sec. 22. [EFFECTIVE DATE.]

Sections 1, 3, 5, 7, 9, 10, 11, 12, and 17 are effective August 1, 1982. Sections 8, 16, 18, 19, 20, and 21 are effective the day after final enactment. Sections 2, 4, 6, 13, 14, and 15 are effective for licensing years beginning March 1, 1982."

Delete the title and insert:

"A bill for an act relating to game and fish; altering requirements for taking and possession; increasing the deer license habitat amount; prescribing requirements for carrying and use of firearms and ammunition; prescribing penalties; restricting the season on cougar; restricting the taking of bear; removing a license fee for beaver; establishing nonresident fees for bobcat, fox, coyote and Canada lynx, allowing tagging for fur bearing animals; clarifying the trout stamp requirement; permitting certain fish to be bought or sold by private hatcheries; clarifying the transportation of firearms; clarifying the use of mechanical harvesting devices for wild rice; restricting the taking of certain muskellunge in certain areas of the state; amending Minnesota Statutes 1980, Sections 84.111, by adding a subdivision; 97.48, Subdivision 24; 97.4841, Subdivision 2; 97.49, Subdivision 1a; 98.45, Subdivision 1; 98.46, Subdivisions 21 and 26; 98.47, Subdivision 7; 98.52, Subdivision 1; 99.27, Subdivision 1; 100.27, Subdivision 1; 100.29, Subdivisions 3, 5 and 9; 101.42, Subdivision 7 and by adding a subdivision; Minnesota Statutes 1981 Supplement, Sections 97.4842, Subdivision 1; 98.46, Subdivisions 4 and 14; and 98.50, Subdivision 5; repealing Minnesota Statutes 1980, Sections 98.46, Subdivision 20; and 101.42, Subdivision 10."

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

Senate Conferees: (Signed) Collin C. Peterson, Steve Engler

House Conferees: (Signed) Leo J. Reding, David P. Battaglia, John Drew

Mr. Peterson, C.C. moved that the foregoing recommendations and Conference Committee Report on S.F. No. 818 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. 818 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	Dicklich	Lantry	Petty	Stokowski
Bang	Dieterich	Lindgren	Purfeerst	Stumpf
Belanger	Engler	Luther	Ramstad	Taylor
Benson	Frank	Merriam	Renneke	Ulland
Berg	Frederick	Moe, R. D.	Rued	Vega
Berglin	Hughes	Nelson	Schmitz	Waldorf
Bernhagen	Johnson	Olhoft	Setzepfandt	Wegener
Bertram	Kamrath	Pehler	Sieloff	Willet
Chmielewski	Keefe	Penny	Sikorski	
Dahl	Knutson	Peterson, C. C.	Solon	
Davies	Kroening	Peterson, D. L.	Spear	
Davis	Kronebusch	Peterson, R. W.	Stern	

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 the Senate do now adjourn until 11:00 a.m., Thursday, February 11, 1982. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate