

SEVENTY-SECOND DAY

St. Paul, Minnesota, Wednesday, February 17, 1982

The Senate met at 11:45 a.m. and was called to order by the President.

CALL OF THE SENATE

Mr. Hughes 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. Winfield V. Johnson.

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

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

The President declared a quorum present.

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

MEMBERS EXCUSED

Messrs. Humphrey, Knutson and Petty were excused from the Session of today.

EXECUTIVE AND OFFICIAL COMMUNICATIONS

January 18, 1982

The Honorable Jack Davies
President of the Senate

Dear Sir:

Transmitted to you herewith please find the list of Notaries Public appointed during 1981.

This list is transmitted to you for the purpose of obtaining Senate confirmation pursuant to the requirements of Article V, Section 3 of the Constitution of the State of Minnesota.

Sincerely,

Albert H. Quie, Governor

Mr. Hanson moved that the appointments of Notaries Public be laid on the table. The motion prevailed.

February 12, 1982

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

The Honorable Jack Davies
President of the Senate

I have the honor to inform you that the following enrolled Acts of the 1982 Session of the State Legislature have been received from the Office of the Governor and are deposited in the Office of the Secretary of State for preservation, pursuant to the State Constitution, Article IV, Section 23:

S.F. No.	H.F. No.	Session Laws Chapter No.	Date Approved 1982	Date Filed 1982
	583	373	February 12	February 12
	1552	374	February 12	February 12

Sincerely,

Joan Anderson Growe
Secretary of State

MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to announce the passage by the House of the following Senate Files, herewith returned: S.F. Nos. 1151 and 1408.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned February 15, 1982

Mr. President:

I have the honor to announce the passage by the House of the following House Files, herewith transmitted: H.F. Nos. 1699, 1710, 1603 and 1732.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted February 15, 1982

FIRST READING OF HOUSE BILLS

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

H.F. No. 1699: A bill for an act relating to education; requiring all public elementary and secondary schools to provide instructional programs in chemi-

cal abuse; amending Minnesota Statutes 1980, Section 126.03; and proposing new law coded in Chapter 126.

Referred to the Committee on Education.

H.F. No. 1710: A bill for an act relating to commerce; petroleum products; providing specifications for fuel oil sold as kerosene; amending Minnesota Statutes 1980, Section 296.05, Subdivision 2, and by adding a subdivision.

Referred to the Committee on Commerce.

H.F. No. 1603: A bill for an act relating to education; requiring the board of teaching and the state board of education to accept completion of certain training programs in lieu of the human relations components required for licensure; amending Minnesota Statutes 1980, Section 125.05, by adding a subdivision.

Referred to the Committee on Education.

H.F. No. 1732: A bill for an act relating to boxing; establishing certain conditions for participation in professional matches; proposing new law coded in Minnesota Statutes, Chapter 341.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 1703, now on General Orders.

REPORTS OF COMMITTEES

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

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

S.F. No. 1673: A bill for an act relating to health; requiring reports of cases of Reyes syndrome; proposing new law coded in Minnesota Statutes, Chapter 144.

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

Page 1, line 10, delete "*department*" and insert "*commissioner*"

Page 1, after line 19, insert:

"Sec. 2. [REPEALER.]

Section 1 is repealed when the commissioner of health includes Reyes syndrome as a reportable disease in rules, or effective January 1, 1984, whichever occurs first."

Re-number the sections in sequence

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

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

S.F. No. 1650: A bill for an act relating to public welfare; establishing foster

care maintenance payments by the state; establishing a state goal for the reduction of the number of children in residential facilities for more than 24 months; requiring the commissioner of public welfare to comply with the requirements of Title IV-E of the federal Social Security Act in order to obtain adoption assistance funds for eligible children; expanding the eligibility for medical assistance to include children receiving foster care maintenance payments under Title IV-E of the federal Social Security Act; amending Minnesota Statutes 1980, Sections 256.82; 257.071, by adding a subdivision; and 259.40, Subdivisions 2, 3, and 10; Minnesota Statutes 1981 Supplement, Section 256B.06, Subdivision 1.

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

Page 2, line 5, after "I" insert a comma

Page 2, line 7, after "Act" insert ", 42 U.S.C. Sections 670 to 676"

Page 2, delete lines 20 to 26 and insert:

"Subd. 5. [RULES; CHILDREN IN RESIDENTIAL FACILITIES.] The commissioner of public welfare shall promulgate all rules necessary to carry out the provisions of Public Law 96-272 as regards the establishment of a state goal for the reduction of the number of children in residential facilities beyond 24 months."

Page 3, line 27, after the comma insert "42 U.S.C. Sections 670 to 676,"

Pages 4, 5, and 6, delete section 6 and insert:

"Sec. 6. Minnesota Statutes 1981 Supplement, Section 256B.06, Subdivision 1, as amended by Laws 1981, Third Special Session Chapter 2, Article 1, Section 32, and Laws 1981, Third Special Session Chapter 3, Section 17, is amended to read:

Subdivision 1. Medical assistance may be paid for any person:

(1) Who is a child eligible for or receiving adoption assistance payments under Title IV-E of the Social Security Act, 42 U.S.C. Sections 670 to 676; or

(2) Who is a child eligible for or receiving foster care maintenance payments under Title IV-E of the Social Security Act, 42 U.S.C. Sections 670 to 676; or

(3) Who is eligible for or receiving public assistance, or a woman who is pregnant, as medically verified, and who would be eligible for assistance under the aid to families with dependent children program if the child had been born and living with the woman; or

(4) Who is eligible for or receiving supplemental security income for the aged, blind and disabled; or

(5) Who except for the amount of income or resources would qualify for supplemental security income for the aged, blind and disabled, or aid to families with dependent children and is in need of medical assistance; or

(6) Who is under 21 years of age and in need of medical care that neither he nor his relatives responsible under sections 256B.01 to 256B.26 are financially able to provide; or

(7) Who is residing in a hospital for treatment of mental disease or

tuberculosis and is 65 years of age or older and without means sufficient to pay the per capita hospital charge; and

(6) (8) Who resides in Minnesota, or, if absent from the state, is deemed to be a resident of Minnesota in accordance with the regulations of the state agency; and

(7) (9) Who alone, or together with his spouse, does not own real property other than the homestead. For the purposes of this section, "homestead" means the house owned and occupied by the applicant as his dwelling place, together with the land upon which it is situated and an area no greater than two contiguous lots in a platted or laid out city or town or 80 contiguous acres in unplatted land. Occupancy or exemption shall be determined as provided in chapter 510 and applicable law, including continuing exemption by filing notice under section 510.07. Real estate not used as a home may not be retained unless it produces net income applicable to the family's needs or the family is making a continuing effort to sell it at a fair and reasonable price or unless sale of the real estate would net an insignificant amount of income applicable to the family's needs, or unless the commissioner determines that sale of the real estate would cause undue hardship; and

(8) (10) Who individually does not own more than \$2,000 in cash or liquid assets, or if a member of a household with two family members (husband and wife, or parent and child), does not own more than \$4,000 in cash or liquid assets, plus \$200 for each additional legal dependent. The value of the following shall not be included:

(a) the homestead, and (b) one motor vehicle licensed pursuant to chapter 168 and defined as: (1) passenger automobile, (2) station wagon, (3) motorcycle, (4) motorized bicycle or (5) truck of the weight found in categories A to E, of section 168.013, subdivision 1e; and

(9) (11) Who has or anticipates receiving an annual income not in excess of \$2,600 for a single person, or \$3,250 for two family members (husband and wife, parent and child, or two siblings), plus \$625 for each additional legal dependent, or who has income in excess of these maxima and in the month of application, or during the three months prior to the month of application, incurs expenses for medical care that total more than one-half of the annual excess income in accordance with the regulations of the state agency. In computing income to determine eligibility of persons who are not residents of long term care facilities, the commissioner shall disregard increases in income of social security or supplementary security income recipients due solely to increases required by sections 215(i) and 1617 of the social security act, and shall disregard income of disabled persons that is also disregarded in determining eligibility for supplemental aid under section 256D.37, subdivision 1, unless prohibited by federal law or regulation. If prohibited, the commissioner shall first seek a waiver. In excess income cases, eligibility shall be limited to a period of six months beginning with the first of the month in which these medical obligations are first incurred; and

(10) (12) Who has continuing monthly expenses for medical care that are more than the amount of his excess income, computed on a monthly basis, in which case eligibility may be established before the total income obligation referred to in the preceding paragraph is incurred, and medical assistance payments may be made to cover the monthly unmet medical need. In licensed

nursing home and state hospital cases, income over and above that required for justified needs, determined pursuant to a schedule of contributions established by the commissioner of public welfare, is to be applied to the cost of institutional care. The commissioner of public welfare may establish a schedule of contributions to be made by the spouse of a nursing home resident to the cost of care and shall seek a waiver from federal regulations which establish the amount required to be contributed by either spouse when one spouse is a nursing home resident; and

(H) (13) Who has applied or agrees to apply all proceeds received or receivable by him or his spouse from automobile accident coverage and private health care coverage to the costs of medical care for himself, his spouse, and children. The state agency may require from any applicant or recipient of medical assistance the assignment of any rights accruing under private health care coverage. Any rights or amounts so assigned shall be applied against the cost of medical care paid for under this chapter. Any assignment shall not be effective as to benefits paid or provided under automobile accident coverage and private health care coverage prior to receipt of the assignment by the person or organization providing the benefits."

Page 6, after line 34, insert:

"Sec. 7. [PROGRAM CONTINUATION.]

The commissioner shall continue to consider applications for payments through the state program established by section 259.40 for any child who is not eligible for adoption assistance under Title IV-E of the Social Security Act, 42 U.S.C. Sections 670 to 676, but who is eligible under the provisions of Laws 1979, Chapter 256, Section 1."

Page 6, line 36, delete "This act is" and insert "Sections 1 to 7 are"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 3, delete "establishing" and insert "requiring the commissioner of public welfare to promulgate rules which establish"

Page 1, line 11, after "payments" insert "or adoption assistance"

Page 1, line 12, after "Act" insert "requiring continuation of the state subsidized adoption program"

Page 1, line 16, before the period, insert "as amended"

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

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

S.F. No. 1702: A bill for an act relating to corrections; authorizing the appointment of internal security investigators for adult correctional facilities in the unclassified civil service; clarifying the "good time" and solitary confinement provisions relating to county jails; amending Minnesota Statutes 1980, Sections 241.01, Subdivision 3a; 641.09; and 643.29, Subdivision 1.

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. 1641: A bill for an act relating to family law; defining the status of marital property and providing for its division in dissolution and annulment actions; amending Minnesota Statutes 1980, Section 518.54, Subdivision 5; and Minnesota Statutes 1981 Supplement, Section 518.58.

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

Page 1, line 24; delete "has" and insert "shall be deemed to have"

Page 2, line 32, strike "and"

Page 2, line 33, strike "the amount of support,"

Page 2, line 34, strike "maintenance"

Page 2, line 34, strike ", whether the property award"

Page 2, line 35, strike everything before the period.

Page 3, line 3; after "be" insert "conclusively"

Page 3, after line 31, insert:

"Sec. 3. [EFFECTIVE DATE.]

This act is effective the day following final enactment. The intent of the legislature in enacting this act is to confirm, clarify, and ratify legislative intent embodied in prior and existing state law, and state law as amended by this act, that the division or disposition of marital property caused by or incident to a decree of dissolution or annulment is not a sale, exchange, transfer, or disposition of or dealing in property but is a division of a common ownership by spouses in property for the purposes of the property laws of this state and for the purposes of United States and Minnesota income tax laws."

Amend the title as follows:

Page 1, line 2, delete "the status of marital" and insert "a species of marital co-ownership of"

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. 1670: A bill for an act relating to guardianship and conservatorship; providing for delegation of certain powers by parents or guardians; applying the rules of evidence to certain proceedings; requiring appointment of conservators in certain cases; providing a procedure for discharge of guardians or conservators in certain cases; clarifying certain provisions; amending Minnesota Statutes 1980, Section 525.6165; Minnesota Statutes 1981 Supplement, Sections 525.55, Subdivision 1; 525.551, Subdivision 3; 525.5515; 525.619; and 525.6196; proposing new law coded in Minnesota Statutes, Chapters 524 and 525.

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

Page 1, line 29, strike "thereof" and insert "*of the hearing*"

Page 2, line 8, after "shall" insert "*also*"

Page 2, line 12, strike "such" and insert "*those*"

Page 2, after line 12, insert:

"Sec. 3. Minnesota Statutes 1981 Supplement, Section 525.55, Subdivision 3, is amended to read:

Subd. 3. [DEFECTIVE NOTICE OR SERVICE.] A defect in the service of notice or process, *other than personal service upon the proposed ward or conservatee within the time allowed and the form prescribed in subdivisions 1 and 2*, shall not invalidate any guardianship or conservatorship proceedings."

Pages 2 and 3, delete section 4 and insert:

"Sec. 5. Minnesota Statutes 1981 Supplement, Section 525.5515, Subdivision 2, is amended to read:

Subd. 2. [CONTENTS OF LETTERS.] Letters of guardianship or conservatorship shall *issue to the guardian or conservator. They shall contain: (a) the name, address and telephone number of the guardian or conservator; (b) the name, address and telephone number of the ward or conservatee; (c) whether it is of the estate or of the person or both; and (d) the legal limitations, if any, imposed by the court on the guardian or conservator.*"

Page 3, lines 11 and 12, delete the new language

Pages 3 to 5, delete section 6 and insert:

"Sec. 7. Minnesota Statutes 1980, Section 525.618, is amended by adding a subdivision to read:

Subd. 5. [COPY OF ORDER TO WARD OR CONSERVATEE.] *A copy of an order appointing a guardian or conservator of a minor shall be served by mail upon the ward or conservatee and his counsel, if he was represented at the hearing. The order shall be accompanied by a notice which advises the ward or conservatee of his right to appeal the guardianship or conservatorship appointment within 30 days.*

Sec. 8. Minnesota Statutes 1980, Section 525.618, is amended by adding a subdivision to read:

Subd. 6. [CONTENTS OF LETTERS.] *Letters of guardianship or conservatorship shall issue to the guardian or conservator. They shall contain: (a) the name, address, and telephone number of the guardian or conservator; (b) the name, address, and telephone number of the ward or conservatee; (c) whether it is a guardianship or conservatorship or both; and (d) the legal limitations, if any, imposed by the court on the guardian or conservator.*"

Page 5, line 19, after "under" insert "*clause*"

Page 5, line 25, strike the first "and" and insert a period

Page 5, line 29, strike "thereof" and insert "*of it*"

Page 6, line 9, delete ", and" and insert a period

Page 6, line 13, after "name" insert a period

Page 6, line 13, delete the first "to" and insert "shall"

Page 6, line 13, after "and" delete "to be"

Page 6, after line 15, insert:

"Sec. 11. [REPEALER.]

Minnesota Statutes 1981 Supplement, Section 525.5515, Subdivision 3, is repealed."

Re-number the sections in sequence

Amend the title as follows:

Page 1, line 5, delete "requiring appointment of"

Page 1, line 6, delete "conservators in certain cases" and insert "providing administrative procedures for the appointment of guardians or conservators for minors"

Page 1, line 9, delete "Section" and insert "Sections" and after the semi-colon insert "and 525.618, by adding subdivisions;"

Page 1, line 10, delete "Subdivision" and insert "Subdivisions"

Page 1, line 11, after "1" insert "and 3"

Page 1, line 11, delete "525.619" and insert "Subdivision 2"

Page 1, line 13, before the period, insert "repealing Minnesota Statutes 1981 Supplement, Section 525.5515, Subdivision 3"

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

Mr. Knoll from the Committee on Governmental Operations, to which was re-referred

S.F. No. 1588: A bill for an act relating to state and local government organization and relations; creating an advisory council on local government; prescribing its duties; proposing new law coded as Minnesota Statutes, Chapter 15B.

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

Page 3, line 9, delete "the chairman" and insert "a member"

Page 3, line 10, delete everything after "473.123" and before the period

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

Mr. Knoll from the Committee on Governmental Operations, to which was re-referred

S.F. No. 276: A bill for an act relating to health; establishing an advisory task force on the use of state facilities in lieu of reimbursing private facilities for some purposes; appropriating money.

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

Page 1, line 12; delete "*chairman of the*"

Page 1, line 23, delete "*All these*" and insert "*Public*"

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

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

H.F. No. 1120: A bill for an act relating to public safety; authorizing the sale to and use by engineers of fireworks; amending Minnesota Statutes 1980, Section 624.21.

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

Page 1, line 16, after "*testing*" insert a semicolon

Page 1, line 18, after "*state*" strike the comma and insert a semicolon

Page 1, line 19; strike "*to prohibit*"

Page 1, line 19, after the second "*or*" insert "*sales*"

Page 1, line 20, after "*engineers*" insert "*for accoustical testing purposes only*"

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

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

S.F. No. 1695: A bill for an act relating to historic sites; adding the Consumers Pure Ice and Storage Company Building in St. Cloud to the registry of state historic sites; amending Minnesota Statutes 1980, Section 138.58, by adding a subdivision.

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

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

S.F. No. 1679: A bill for an act relating to the military; providing for the administration of oaths and acknowledgments by a member of the armed forces of the United States; amending Minnesota Statutes 1980, Sections 192.205, by adding a subdivision; and 358.32.

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

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

S.F. No. 1692: A bill for an act relating to the military; prohibiting entry to Camp Ripley without authorization of the adjutant general; imposing a penalty; amending Minnesota Statutes 1980, Sections 609.60 and 609.605.

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

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

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

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. 1530: A bill for an act relating to St. Louis county; providing for the calculation of vacation and sick leave allowances of certain employees.

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

Page 1, delete lines 16, 17 and 18, and insert:

"Section 1 is effective on the day of compliance with Minnesota Statutes, Section 645.021, Subdivision 3."

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

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

S.F. No. 63: A bill for an act relating to retirement; specifying eligibility for early retirement health and welfare insurance coverage for certain employees of the city of St. Paul.

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. 1727: A bill for an act relating to retirement; second class city police relief associations; eliminating a dollar amount limitation on the payment of salaries to relief association officers; amending Minnesota Statutes 1981 Supplement, Section 423.808.

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

Mr. Merriam from the Committee on Agriculture and Natural Resources, to which was referred

S.F. No. 1671: A bill for an act relating to environment; abolishing the water planning board; transferring certain duties of the water planning board to the environmental quality board and the department of energy, planning and development; providing for board membership and staff; providing for the appointment of a chairman; amending Minnesota Statutes 1980, Sections 116C.03, Subdivision 2a, and by adding subdivisions; 116C.04, by adding a subdivision; 362.12, by adding a subdivision; Minnesota Statutes 1981 Supplement, Section 116C.03, Subdivisions 2 and 4; repealing Minnesota Statutes 1980, Sections 105.401; 116C.04, Subdivisions 8 and 9; 116C.05; 116C.07;

and Minnesota Statutes 1981 Supplement, Section 116C.03, Subdivision 3.

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

Page 1, lines 25 and 26, delete the new language

Page 2, line 10, delete "membership" and insert "public members"

Page 2, line 16, delete the first "shall" and insert "may"

Page 2, line 18, after "work" delete the comma

Pages 2 and 3, delete sections 7, 8 and 9

Page 3, line 35, delete "105.401;"

Page 4, after line 1, insert:

"Sec. 8. [EFFECTIVE DATE.]

This act is effective the day following final enactment."

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 2, delete "abolishing the water planning"

Page 1, delete lines 2 to 6

Page 1, line 7, delete everything before "amending" and insert "providing for the chairmanship, staff, and administration of the environmental quality board;"

Page 1, line 8, delete "Sections" and insert "Section"

Page 1, line 9, delete "116C.04, by adding a"

Page 1, line 10, delete everything before "Minnesota"

Page 1, line 13, delete "105.401;"

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

Mr. Merriam from the Committee on Agriculture and Natural Resources, to which was referred

S.F. No. 1288: A bill for an act relating to agriculture; creating a family farm finance agency; authorizing the agency to issue debt obligations and to make loans for the acquisition of farm land; transferring the family farm security program to the agency; appropriating money; amending Minnesota Statutes 1980, Sections 41.51; 41.52, Subdivisions 1, 5, 8, 9 and 10, and by adding subdivisions; 41.54, Subdivision 4; 41.55; 41.56; 41.57; 41.58; 41.59, Subdivisions 1 and 2; and 41.60; proposing new law coded in Minnesota Statutes, Chapter 41; repealing Minnesota Statutes 1980, Section 41.53.

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

Page 2, delete section 5 and insert:

"Sec. 5. Minnesota Statutes 1981 Supplement, Section 41.52, Subdivision

5, is amended to read:

Subd. 5. "Family farm security loan"; ~~except in the case of a seller sponsored loan, means a loan secured by a first real estate mortgage. In the case of a seller sponsored loan, it means a loan secured either by a real estate mortgage evidenced by one or more notes or secured by a contract for deed. It shall be used for acquisition of farm land and shall be approved by the commissioner. This loan shall be guaranteed and may qualify for a payment adjustment as defined in subdivision 10 and may be a seller-sponsored loan as defined in subdivision 8 means a loan for the acquisition of farm land.~~

Page 3, line 2, delete "plan" and insert "loan"

Page 3, line 4, delete "11" and insert "15"

Page 3, line 7, delete "11" and insert "15"

Page 3, delete sections 7 and 8 and insert:

"Sec. 7. Minnesota Statutes 1981 Supplement, Section 41.52, Subdivision 8, is amended to read:

Subd. 8. "Seller-sponsored loan" means a loan in which part or all of the purchase price of the farm is financed by a loan from the seller of the property who is a natural person, a partnership or a family farm corporation as defined in section 500.24, and the remainder of the loan, if any, is supplied by a lender as defined in subdivision 7 ~~or other person~~, *by another person, or by the agency.* This loan shall be secured by a real estate mortgage evidenced by one or more notes that may carry different interest rates, or by a contract for deed.

Sec. 8. Minnesota Statutes 1981 Supplement, Section 41.52, Subdivision 9, is amended to read:

Subd. 9. "Family farm ~~State~~ loan guarantee" means an agreement that in the event of default the ~~state of Minnesota shall~~ *agency will* pay the lender 90 percent of the sums due and payable under the ~~first~~ a real estate mortgage; ~~or, in the case of a seller sponsored loan, 90 percent of the sums due and payable under the note and mortgage held by a lender to secure a family farm loan or contract for deed.~~

Page 3, line 36, delete "consisting of the"

Page 4, delete lines 1 and 2 and insert "as provided in section 41.54."

Page 4, delete lines 3 to 9 and insert "The board is"

Re-number the subdivisions in sequence

Page 4, after line 27, insert:

"Sec. 11. Minnesota Statutes 1980, Section 41.54, Subdivision 1, is amended to read:

Subdivision 1. [MEMBERSHIP.] ~~There is established a~~ *The board of the family farm advisory council composed of seven finance agency shall consist of eight members. The commissioner of agriculture shall be the chairman of the board. The remaining members shall be appointed by the commissioner of agriculture as follows* ~~governor with the advice and consent of the senate and shall meet the following qualifications:~~

(a) Two ~~shall be~~ *shall be* officers ~~from~~ of a commercial lending institution;

- (b) One shall be a dairy farmer;
- (c) One shall be a livestock farmer;
- (d) One shall be a cash grain farmer;
- (e) One shall be an officer from a farm credit association;
- (f) One shall be an agricultural economist.

Sec. 12. Minnesota Statutes 1981 Supplement, Section 41.54, Subdivision 2, is amended to read:

Subd. 2. [TERMS AND COMPENSATION.] *Except for the chairman of the board, the compensation and removal of board members of the council and appointments to fill vacancies on the board shall be governed by section ~~15.059~~ 15.0575. The council shall meet monthly or more often as needed.*

The terms of the members serving on January 15, 1981, shall end on the first Monday in April in the year indicated as follows:

- (a) The dairy farmer and one officer from a commercial lending institution, 1982;
- (b) The cash grain farmer and the officer from a farm credit association, 1983;
- (c) The livestock farmer and one officer from a commercial lending institution, 1984; and
- (d) The agricultural economist, 1985.

After a term expires as provided in clauses (a) to (d), all successors shall be appointed for four year terms. The terms of the present officers from a commercial lending institution shall be decided by lot subject to clauses (a) and (c).

Sec. 13. Minnesota Statutes 1980, Section 41.54, Subdivision 4, is amended to read:

Subd. 4. [ADDITIONAL DUTIES.] ~~The duties of the council shall be as follows~~ *In addition to its other powers and duties under chapter 41, the board shall:*

- (a) ~~To~~ *Periodically* review and appraise the family farm security program programs of the agency;
- (b) ~~To give advice and counsel to the commissioner regarding the family farm security program;~~
- (c) ~~To Review~~ *Approve or disapprove* all applications for family farm security loans which may be made, purchased or participated in by the agency or for which a state loan guarantee may be made and make recommendations to the commissioner as to their disposition; and
- (d) ~~To~~ *Make* recommendations to the commissioner of agriculture, legislature and the public on or before December 31 of each year regarding any needed state policy or program changes to foster and promote the economic health and viability of the family farm.

Sec. 14. Minnesota Statutes 1980, Section 41.54, is amended by adding a subdivision to read:

Subd. 6. [COUNCIL MEMBERS TO BECOME BOARD MEMBERS; VACANCIES.] Notwithstanding any other law, the members of the advisory council serving on the effective date of this section shall be the members of the board of the agency for the terms as provided in this section. When any of those members cease to serve as members of the board for any reason, the vacancy shall be filled by appointment of a new member by the governor with the advice and consent of the senate as provided in subdivision 1."

Page 4, line 28, delete "[41.522]" and insert "[41.541]"

Page 5, line 21, delete "first" and insert "real estate"

Page 5, after line 22, insert:

"Subd. 6. [LOANS BY FEDERAL LAND BANK; STATE PARTICIPATION AND GUARANTEE.] The agency may participate in or provide a state loan guarantee for a family farm loan made by the federal land bank. The state share of any loan and any state loan guarantee under this subdivision may be secured by a mortgage lien subordinate to the lien of the federal land bank. The agency may not act under this subdivision until it has entered an agreement with the federal land bank which identifies the type of family farm loans in which the agency will participate or which it will guarantee; and specifies the duties and obligations of the agency and the federal land bank with regard to family farm loans in which the agency participates or which it guarantees. The agreement shall be consistent as far as practicable with the eligibility criteria provided in section 41.55, subdivision 1, and with the intent and purposes of chapter 41. The agreement shall provide that the state will share in any losses or gains realized by the federal land bank from loans in which the agency participates or which it guarantees."

Page 6, line 5, before "which" insert "in which the state participates or"

Renumber the subdivisions in sequence

Page 7, line 6, delete "[41.523]" and insert "[41.542]"

Page 7, line 8; delete "11" and insert "15"

Page 7, line 14, delete ", amend and repeal"

Page 7, line 16, after the period insert "The rules are subject to the provisions of the administrative procedure act, sections 15.041 to 15.052."

Page 7, line 26, delete "and may sell, transfer" and insert a period

Page 7, delete lines 27 to 34

Page 8, line 17, before the period insert "during the preceding fiscal year"

Page 8, line 18, delete "[41.524]" and insert "[41.543]"

Page 8, line 30; delete "\$....." and insert "\$20,000,000"

Page 11, line 8, delete "[41.525]" and insert "[41.544]"

Page 11, line 8, delete "FUND" and insert "FUNDS"

Page 11, line 9, delete "a"

Page 11, line 10, delete "fund" and insert "funds" in both places

Page 11, line 10, delete "a"

Page 12, line 31, delete "[41.526]" and insert "[41.545]"

Page 12, line 35, delete "security"

Page 13, line 2, delete "[41.527]" and insert "[41.546]"

Page 13, delete section 17

Page 14, line 32, delete "3" and insert "5"

Page 15, line 6, delete "by one or more appraisals satisfactory"

Page 15, line 7, delete "to" and insert "according to the rules of"

Page 15, line 27, delete "audited"

Page 16, line 7, after "purchased" and insert "or assignment of the contract for deed"

Page 16, line 24, delete "return the"

Page 16, line 25, delete "application to" and insert "provide"

Page 16, line 33, delete "and income"

Page 16, line 34, delete "potential"

Page 16, line 35, before "state" insert "family farm first mortgage or down payment loan, a"

Page 16, line 35, after "or" insert "an"

Page 16, line 36, after "loan" insert "and a procedure to determine the income potential of any property before making or purchasing a family farm first mortgage loan"

Pages 17 to 20, delete section 19 and insert:

"Sec. 22. Minnesota Statutes 1981 Supplement, Section 41.56, Subdivision 3, is amended to read:

Subd. 3. [DEFAULT, FILING CLAIM.] Within 90 days of a default on a ~~guaranteed~~ family farm security loan which the agency has made, purchased, or guaranteed with a state loan guarantee, the lender or agency shall send notice to the applicant stating that the ~~commissioner must be notified if the default continues for 180 days, and the consequences of that default applicant must make arrangements to meet his obligation within 180 days of the initial default and stating the consequences of failing to do so.~~ ~~The A lender and the~~ an applicant may agree to take any steps reasonable to assure the fulfillment of the loan obligation.

After 180 days from the initial default on a state guaranteed loan, if the applicant has not made arrangements to meet his obligation, the lender shall file a claim with the ~~commissioner~~ agency, identifying the loan and the nature of the default, and assigning to the ~~state~~ agency all of the lender's security and interest in the loan in exchange for payment according to the terms of the ~~family farm security state~~ loan guarantee. In the case of a seller-sponsored loan, the seller may elect to pay the ~~commissioner~~ agency all sums owed the ~~commissioner~~ agency by the applicant and retain title to the property in lieu of payment by the ~~commissioner~~ agency under the terms of the loan guarantee. If the ~~commissioner~~ agency determines that the terms of the ~~family farm security~~

state loan guarantee have been met, ~~he~~ it shall authorize payment of state funds to the lender, and shall notify the defaulting party. The state of Minnesota agency shall then succeed to the interest of the mortgagee or the vendor of the contract for deed. Taxes shall be levied and paid on the land as though the owner were a natural person and not a political subdivision of the state. ~~The commissioner may, on behalf of the state, After 180 days from the initial default of a loan which the agency has made or purchased, or when the agency has succeeded to the interest of a mortgagee or a vendor as provided in this subdivision, the agency may commence foreclosure or termination proceedings in the manner provided by law.~~

Sec. 23. Minnesota Statutes 1981 Supplement, Section 41.56, Subdivision 4, is amended to read:

Subd. 4. [SALE OF DEFAULTED PROPERTY.] In the event that title to the any property is acquired by the state agency, upon conveyance of title to the state agency and expiration of the period of redemption, ~~the commissioner shall, within 15 days of the expiration of such period, the period of redemption, the agency shall~~ undertake to sell the property by publishing a notice of the impending sale at least once each week for four successive weeks in a legal newspaper and also in a newspaper of general distribution in the county in which the property to be sold is situated. ~~Such~~ The notice shall specify the time and place in the county at which the sale will commence, a description of describe the lots or tracts to be offered, and a general statement of state the terms of the sale. ~~Except as further provided in this subdivision, the terms and method of sale shall be determined by the commissioner.~~

The agency shall first endeavor to sell the property to a person who is eligible for a family farm loan which is made, purchased, participated in, or guaranteed by the agency. If the agency is unable to effect a sale to an eligible person, it shall endeavor to sell the property for cash as provided in subdivision 4a. If the agency is unable to effect a sale to an eligible person or for cash as provided in subdivision 4a, or if the agency finds that sale to an eligible person or for cash would not best protect the interests of the state, the agency shall sell the property on the terms which the agency finds will best protect the interests of the state. The agency may lease any real property which it is unable to sell with reasonable promptness. In any event the agency shall sell any real property which it acquires within two years after the conveyance of title to the state or after the expiration of the period of redemption.

Subd. 4a. [SALE FOR CASH.] When the agency sells any real property for cash it shall follow the procedures provided in this subdivision. If the sale will be completed more than 15 days after the last published notice of sale as provided in subdivision 4, the agency shall publish another notice as provided in that subdivision. The ~~commissioner~~ agency shall sell the property to the highest bidder as determined by taking sealed bids or by bids at public auction, ~~provided that in either event he~~. The agency may refuse to accept any or all bids. If it accepts a bid, it shall select the successful bidder do so within 15 days of the date of the last published notice of sale. Bidders shall submit bid security in the form of a certified check or bid bond in the amount of two percent of their bid price and the successful bidder shall remit the balance of the purchase price to the ~~commissioner~~ agency within 90 days of the date of sale. Upon remittance of such the balance within 90 days of the date of sale, the ~~commissioner~~ agency shall transfer title to the property, including any acquired mineral rights, to the purchaser by quitclaim deed. In the event that the purchaser fails to remit any part of such balance within 90 days of the date of sale, the purchaser shall forfeit all rights to the property and any moneys paid thereon and the state

agency shall recommence the sale process as specified in this subdivision.

Subd. 4b. [PROCEEDS OF SALE.] Proceeds from the sale of a parcel of property obtained by the state agency pursuant to this section shall be paid into the special account authorized in section 41.61, subdivision 1, to the extent that funds from the special account were disbursed according to the terms of the family farm security state loan guarantee and into the general fund to the extent that funds were disbursed as payment adjustments by the commissioner agency. Proceeds in excess of these amounts shall be paid to the lender to the extent that payment to the lender pursuant to the loan guarantee was less than the money due and payable to the lender under the family farm security loan. Proceeds in excess of these amounts shall be paid to cooperating agencies according to the terms of the family farm security memorandum of understanding. Additional proceeds, if any, shall be paid into the general fund.

Proceeds of the sale of property which secured a family farm loan which the agency made, purchased or participated in shall be deposited in the family farm loan fund, or other fund into which the proceeds must be deposited in accordance with the applicable provisions of all bond resolutions, indentures and other instruments, contracts, and agreements of the agency."

Page 22, line 1, after "\$135,000" insert "(increased by the percentage of increase from January 1, 1981, to the date of the loan application in the consumer price index published by the federal department of labor which is considered by the agency to most closely reflect the prices of farm land and commodities)"

Page 22, delete lines 3 to 5 and insert:

"Sec. 25. Minnesota Statutes 1980, Section 41.58, Subdivision 1, is amended to read:"

Page 22, delete lines 13 to 19 and insert:

"Sec. 26. Minnesota Statutes 1981 Supplement, Section 41.58, Subdivision 2, is amended to read:

Subd. 2. [NEGOTIABILITY AND MARKETABILITY.] A seller-sponsored loan shall be secured by a purchase money real estate mortgage evidenced by negotiable note or notes as defined in section 336.3-104 or by a contract for deed. The commissioner agency must be notified in writing within 30 days after a family farm security loan note is sold or exchanged or vendor's interest in a contract for deed is sold, exchanged, assigned or transferred.

Sec. 27. Minnesota Statutes 1980, Section 41.58, Subdivision 3, is amended to read:"

Page 24, line 1, delete "disability,"

Page 24, delete line 2

Page 24, line 12, delete "down payment"

Page 24, line 12, after "fund" insert "or in which the fund participated"

Page 24, after line 12, insert:

"(c) Proceeds of the sale of defaulted property on which the agency had a lien to secure a family farm loan made from the fund or in which the fund

participated;”

Reletter the remaining clauses in sequence

Page 24, line 23, delete “, in the following order of priority”

Page 24, delete line 29 and insert:

“(c) To make or participate in family farm loans including family farm first mortgage loans, down payment loans and loans of the federal land bank as provided in section 15, subdivision 6.”

Page 24, after line 29, insert:

“Sec. 32. [41.528] [GENERAL OBLIGATION BONDS.]

Subdivision 1. [PROCEDURE.] For the purpose of providing money to be appropriated to the family farm loan fund for the purposes provided in section 31, subdivision 3, clauses (b) and (c), the commissioner of finance, upon request of the governor, shall sell and issue Minnesota state family farm finance bonds for the prompt and full payment of which, with interest thereon, the full faith, credit and taxing powers of the state are irrevocably pledged. Bonds shall be issued pursuant to this section only as authorized by a law specifying the purpose thereof and the amount of the proceeds which may be expended for that purpose. Any accrued interest and premium received upon the sale thereof is appropriated and shall be credited to a separate bookkeeping account to be maintained in the state bond fund and designated as the Minnesota state family farm finance bond account. The bonds shall be issued, sold, executed, authenticated, and secured in the manner prescribed in section 16A.64. The bonds are issued pursuant to the Minnesota Constitution, Article XI, Section 5, clause (h), and further secured by Article XI, Section 7. All money appropriated and taxes levied for the payment of the bonds shall be credited to the Minnesota state family farm finance bond account.

Subd. 2. [FAMILY FARM FINANCE BOND ACCOUNT.] In order to reduce the amount of taxes otherwise required by the Constitution, Article XI, Section 7, to be levied for the payment of interest and principal on the bonds authorized by this section, there is hereby appropriated annually to the family farm finance bond account in the state bond fund from the general fund in the state treasury a sum of money sufficient in amount, when added to the balance on hand on November 1 in each year in the family farm finance bond account, to pay all principal and interest due and to become due on the bonds within the then ensuing year and to and including July 1 in the second ensuing year. The moneys received and on hand pursuant to the appropriation annually made by this subdivision are available in the state bond fund prior to the levy of the tax in any year required by the Constitution, Article XI, Section 7, and shall be used to reduce the amount of tax otherwise required to be levied.

Subd. 3. [APPLICATION OF OTHER SECTIONS.] None of the provisions of sections 17, 18, or 20 apply to bonds issued or sold under this section.”

Page 25, delete section 27 and insert:

“Sec. 34. [TRANSITION TO NEW AGENCY.]

The transfer of all responsibilities of the department of agriculture under Minnesota Statutes, Chapter 41, to the family farm finance agency shall be accomplished as provided in section 15.039.

Sec. 35. [BOND AUTHORIZATION.]

The commissioner of finance is authorized upon the request of the governor to sell and issue Minnesota state family farm finance bonds for the purposes provided in section 31, subdivision 3, clauses (b) and (c); in the aggregate principal amount of \$20,000,000, in the manner and upon the conditions prescribed in section 32 and in article XI of the constitution. Except as provided in section 36, subdivision 1, all of the proceeds of the bonds are appropriated to the family farm loan fund for expenditure as provided in section 31, subdivision 3, clauses (b) and (c)."

Page 25, delete lines 13 to 19 and insert:

"Subdivision 1. The sum of \$185,000 is appropriated from the family farm loan fund to the board of the family farm finance agency for expenses necessary to organize and prepare the agency for operation."

Page 25, line 25, delete "Section" and insert "Sections"

Page 25, line 25, delete "is" and insert "; 41.54, Subdivisions 3 and 5; and 41.56, Subdivisions 5 and 6; and Minnesota Statutes 1981 Supplement, Section 41.56, Subdivisions 1 and 2, are"

Page 25, line 27, delete "the day following final enactment" and insert "August 1, 1982"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 3, delete "debt"

Page 1, line 4, delete "obligations" and insert "bonds"

Page 1, line 8, delete ", 5, 8, 9"

Page 1, line 9, delete "Subdivision 4" and insert "Subdivisions 1 and 4, and by adding a subdivision"

Page 1, line 9, delete "41.56;"

Page 1, line 10, after "41.58" insert ", Subdivisions 1 and 3"

Page 1, line 10, after "41.60;" insert "Minnesota Statutes 1981 Supplement, Sections 41.52, Subdivisions 5, 8, and 9; 41.54, Subdivision 2; 41.56, Subdivisions 3 and 4; and 41.58, Subdivision 2;"

Page 1, line 12, delete "Section 41.53" and insert "Sections 41.53; 41.54, Subdivisions 3 and 5; and 41.56, Subdivisions 5 and 6; and Minnesota Statutes 1981 Supplement, Section 41.56, Subdivisions 1 and 2"

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

Mr. Olhott from the Committee on General Legislation and Administrative Rules, to which were referred the following appointments as reported in the Journal for May 6, 1981:

BOARD OF THE ARTS

Anne Ehrhardt
 Patricia Lund
 Jean Mars
 Leonard Nadasdy

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

H.F. No. 1616 for comparison with companion Senate File, reports the following House File was found not identical with its companion Senate File as follows:

GENERAL ORDERS		CONSENT CALENDAR		CALENDAR	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
				1616	1497

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H.F. No. 1616 be amended as follows:

Page 1, line 12, reinstate the stricken "in this"

Page 1, line 13, reinstate the stricken "state"

Page 1, line 14, strike "such" and insert "the"

Page 1, line 17, strike "Such" and insert "The" and strike "so"

Page 1, line 19, strike "such" and insert "the"

Page 1, line 22, after "county" strike ", and such other matter as"

Page 1, line 23, strike everything before the period

Amend the title as follows:

Page 1, lines 2 to 4, delete "fixing the maximum amount of county money that may be spent by development organizations for certain county developments" and insert "permitting the counties to spend a certain sum for promotion of development"

And when so amended H.F. No. 1616 will be identical to S.F. No. 1497, and further recommends that H.F. No. 1616 be given its second reading and substituted for S.F. No. 1497, and that the Senate File be indefinitely postponed.

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

SECOND READING OF SENATE BILLS

S.F. Nos. 1673, 1702, 1641, 1670, 1588, 1695, 1679, 1692, 1733, 1530, 63 and 1727 were read the second time.

SECOND READING OF HOUSE BILLS

H.F. Nos. 1120 and 1616 were read the second time.

MOTIONS AND RESOLUTIONS

Mr. Willet moved that the name of Mr. Sikorski be added as a co-author to S.F. No. 1551. The motion prevailed.

Mr. Hanson moved that the name of Mr. Lessard be added as a co-author to S.F. No. 1762. The motion prevailed.

Mr. Belanger moved that the name of Mr. Ramstad be added as a co-author to S.F. No. 2004. The motion prevailed.

Mr. Setzepfandt moved that his name be stricken as a co-author to S.F. No. 2005. The motion prevailed.

Mr. Frederickson moved that the name of Mr. Lindgren be added as a co-author to S.F. No. 2024. The motion prevailed.

Mr. Bang moved that the name of Mr. Merriam be added as a co-author to S.F. No. 2027. The motion prevailed.

Mr. Stern moved that the names of Messrs. Humphrey and Keefe be added as co-authors to S.F. No. 2035. The motion prevailed.

Mr. Wegener moved that the names of Mrs. Brataas; Messrs. Moe, R.D.; Chmielewski and Menning be added as co-authors to S.F. No. 2047. The motion prevailed.

Mr. Wegener moved that the names of Messrs. Chmielewski; Berg; Moe, R.D. and Davis be added as co-authors to S.F. No. 2051. The motion prevailed.

Mrs. Lantry moved that her name be stricken as chief author and Mr. Waldorf be added as chief author to S.F. No. 1875. The motion prevailed.

Mrs. Lantry moved that her name be stricken as chief author and Mr. Waldorf be added as chief author to S.F. No. 1877. The motion prevailed.

Ms. Berglin moved that S.F. No. 2009 be withdrawn from the Committee on Local Government and Urban Affairs and re-referred to the Committee on Taxes and Tax Laws. The motion prevailed.

Mr. Peterson, C.C. moved that S.F. No. 818 and the Conference Committee Report thereon be taken from the table. The motion prevailed.

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.

RECONSIDERATION

Mr. Peterson, C.C. moved that the vote whereby S.F. No. 818 was repassed by the Senate on February 8, 1982, be now reconsidered. The motion prevailed.

RECONSIDERATION

Mr. Peterson, C.C. moved that the vote whereby the Conference Committee

Report on S.F. No. 818 was adopted by the Senate on February 8, 1982, be now reconsidered. The motion prevailed.

Mr. Peterson, C.C. moved that S.F. No. 818 be returned to the Conference Committee as formerly constituted. The motion prevailed.

Mr. Johnson, for Mr. Berg, moved that S.F. No. 2039 be withdrawn from the Committee on Judiciary and re-referred to the Committee on Taxes and Tax Laws. The motion prevailed.

Mr. Dicklich moved that S.F. No. 1801 be withdrawn from the Committee on Local Government and Urban Affairs and re-referred to the Committee on Taxes and Tax Laws. The motion prevailed.

Mr. Moe, R.D. introduced—

Senate Concurrent Resolution No. 10: A Senate concurrent resolution relating to adjournment for more than three days.

BE IT RESOLVED by the Senate, the House of Representatives concurring therein:

1. Upon its adjournment on February 18, 1982, the House of Representatives may set its next day of meeting for 2:00 p.m. on February 24, 1982.

2. Upon its adjournment on February 19, 1982, the Senate may set its next day of meeting for 2:00 p.m. on February 24, 1982.

3. Pursuant to the Minnesota Constitution, Article IV, Section 12, the Senate and House of Representatives each consent to the adjournment of the other for more than three days.

Mr. Moe, R.D. moved the adoption of the foregoing resolution. The motion prevailed. So the resolution 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. 2063: A bill for an act relating to taxation; income; deleting certain provisions relating to the taxation of unitary business income; amending Minnesota Statutes 1980, Section 290.34, Subdivision 2, as amended; Minnesota Statutes 1981 Supplement, Section 290.17, Subdivision 2, as amended; 290.21, Subdivision 4, as amended.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Hanson; Peterson, R.W. and Rued introduced—

S.F. No. 2064: A bill for an act relating to Minnesota Statutes, correcting erroneous, ambiguous, omitted and obsolete references and text; eliminating certain redundant, conflicting and superseded provisions; authorizing the revisor of statutes to make necessary reference changes if the administrative procedure act is recompiled as a separate chapter; amending Minnesota Statutes

1980, Sections 60C.02, Subdivision 1; 62B.04, Subdivision 1; 92.03, Subdivision 4; 106.011, Subdivision 20; 106.021, Subdivision 2; 106.081, Subdivision 1; 106.091, Subdivision 2; 120.17, Subdivisions 4a and 5; 123.21; 123.78, Subdivision 1; 123.932, Subdivision 1a; 125.12, Subdivision 3; 129.121, Subdivision 1; 136.015; 145.833, Subdivisions 9, 10 and 11; 160.05, Subdivision 1; 175.35; 177.23, Subdivisions 4, 7 and 10; 177.27; 177.28; 177.29; 177.30; 177.31; 177.32; 177.33; 177.34; 177.35; 214.14, Subdivision 1; 273.11, Subdivision 5; 282.01, Subdivision 1; 290.41, Subdivision 3; 458.192, Subdivision 15; 462.415, Subdivisions 4 and 6; 462.421, Subdivisions 1, 2 and 20; 462.425, Subdivision 7; 462.426, Subdivision 1; 462.427, Subdivision 2; 462.428, Subdivision 3; 462.445, Subdivisions 1, 4 and 5; 462.451, Subdivision 2; 462.461, Subdivisions 1 and 2; 462.485; 462.511; 462.541, Subdivision 2; 462.545, Subdivisions 1, 2, 3 and 6; 462.555; 462.561; 462.571; 462.581; 462.591, Subdivision 1; 462.621, Subdivisions 1 and 3; 462.631, Subdivision 1; 462.635; 462.645, Subdivisions 1, 5 and 7; 462.665; 462.671; 462.701; 462.705; 462.712; 462.713; 473.195, Subdivision 1; 504.24, Subdivision 2; Chapter 111, by adding a section; Minnesota Statutes 1981 Supplement, Sections 11A.18, Subdivision 9; 43A.08, Subdivision 2; 43A.27, Subdivision 2; 47.20, Subdivisions 4a and 4b; 60A.11, Subdivisions 9 and 10; 69.011, Subdivision 2; 69.031, Subdivision 5; 97.488, by adding a subdivision; 116H.129, Subdivisions 1, 5 and 6; 156A.02, Subdivision 6; 168.013, Subdivision 1c; 169.825, Subdivision 10; 171.36; 176.306, Subdivision 2; 204B.31; 222.63, Subdivision 4; 273.11, Subdivision 1; 290.077, Subdivision 4; 290.09, Subdivision 15; 299F.011, Subdivision 1; 353.01, Subdivisions 2a and 6; 355.11, Subdivision 5; 414.0325, Subdivision 5; 462.601; 462.605; 514.011, Subdivision 4a; 525.551, Subdivision 5; 525.6198; and Laws 1981, Chapter 224, Section 73; repealing Minnesota Statutes 1980, Section 60A.11, Subdivisions 5a and 5b; Minnesota Statutes 1981 Supplement, Section 290.971, Subdivision 7; Laws 1980, Chapter 587, Article I, Sections 31, 32, 33, 34, 35, 36, 37, 38 and 39; Laws 1981, Chapters 31, Section 7; 60, Section 14; 137, Section 3; 158; 178, Section 33; 205, Section 1; 224, Section 92; 255, Sections 1, 3 and 4; 356, Sections 99, 189, 190, 191, 210 and 212; and 357, Section 28.

Referred to the Committee on Judiciary.

Messrs. Sikorski and Solon introduced—

S.F. No. 2065: A bill for an act relating to public welfare; clarifying certain provisions of the general assistance program; modifying the eligibility standards for emergency general assistance; providing that grants of emergency general assistance be made in the form of vouchers or vendor payments; amending Minnesota Statutes 1981 Supplement, Sections 256D.05, Subdivision 1; 256D.06, Subdivision 2; and 256D.09, Subdivision 1.

Referred to the Committee on Health, Welfare and Corrections.

Mr. Dahl introduced—

S.F. No. 2066: A bill for an act relating to taxation; income; providing a credit for certain energy management training expenditures; amending Minnesota Statutes 1980, Section 290.06, by adding a subdivision.

Referred to the Committee on Energy and Housing.

Ms. Berglin introduced—

S.F. No. 2067: A bill for an act relating to taxation; eliminating the reduction of certain property tax refunds; repealing Laws 1981, Third Special Session Chapter 2, Article IV, Section 14.

Referred to the Committee on Taxes and Tax Laws.

Mr. Purfeerst introduced—

S.F. No. 2068: A bill for an act relating to highway traffic regulations; authorizing and regulating the use of liquefied petroleum gas for motor fuel in school buses; amending Minnesota Statutes 1980, Section 169.44, by adding a subdivision.

Referred to the Committee on Transportation.

Mr. Sieloff introduced—

S.F. No. 2069: A bill for an act proposing an amendment to the Minnesota Constitution, Article XI, adding a section; providing constitutional limits on state spending.

Referred to the Committee on Finance.

Mr. Sieloff introduced—

S.F. No. 2070: A bill for an act relating to economic development; authorizing the creation of enterprise zones in distressed areas; granting powers to the department of economic development; providing special tax and other treatment for enterprise zones; proposing new law coded in Minnesota Statutes, Chapter 362.

Referred to the Committee on Governmental Operations.

Mr. Sieloff introduced—

S.F. No. 2071: A bill for an act relating to crimes; defining "vulnerable adult" under the vulnerable adult reporting law; amending Minnesota Statutes 1980, Section 626.557, Subdivision 2.

Referred to the Committee on Judiciary.

Mr. Sieloff introduced—

S.F. No. 2072: A bill for an act relating to condominiums; regulating restrictions on the alienability of units; amending Minnesota Statutes 1980, Sections 515A.1-102; 515A.2-119; and 515A.3-102.

Referred to the Committee on Judiciary.

Messrs. Kroening and Dahl introduced—

S.F. No. 2073: A bill for an act relating to nonjudicial resolution of disputes; establishing a study commission; requiring a report to the governor and legislature.

Referred to the Committee on Judiciary.

Mr. Frank introduced—

S.F. No. 2074: A bill for an act relating to public safety; providing for enforcement of warrants issued for traffic violations; requiring certain county license bureaus and deputy registrars of motor vehicles to have computers interconnected with the Minnesota crime information services network; requiring interchange of certain information; prohibiting the issuance of motor vehicle number plates, tabs or stickers and driver's licenses or renewals until outstanding warrants have been satisfied; increasing sheriffs' fees for serving certain process; amending Minnesota Statutes 1981 Supplement, Section 357.09, Subdivision 1; proposing new law coded in Minnesota Statutes, Chapter 299A.

Referred to the Committee on Judiciary.

Mr. Pehler and Ms. Berglin introduced—

S.F. No. 2075: A bill for an act relating to taxation; providing a new system for property taxation of railroads; amending Minnesota Statutes 1981 Supplement, Section 272.02, Subdivision 1; proposing new law coded in Minnesota Statutes, Chapter 270; repealing Minnesota Statutes 1980, Sections 270.80 to 270.90.

Referred to the Committee on Taxes and Tax Laws.

Mr. Chmielewski introduced—

S.F. No. 2076: A bill for an act relating to the state fire code; repealing an administrative rule of the department of public safety; amending Minnesota Statutes 1981 Supplement, Section 299F.011, Subdivision 1.

Referred to the Committee on Governmental Operations.

Messrs. Ashbach, Dahl and Stumpf introduced—

S.F. No. 2077: A bill for an act relating to the city of Roseville; providing an exception from the Roseville police civil service system for the chief and deputy chief of police.

Referred to the Committee on Local Government and Urban Affairs.

Messrs. Dahl and Hughes introduced—

S.F. No. 2078: A bill for an act relating to education; authorizing school boards to charge certain fees and deposits; requiring certain waivers; amending Minnesota Statutes 1980, Sections 120.72; 120.73, Subdivisions 1 and 4; 120.74, Subdivisions 1 and 2; repealing Minnesota Statutes 1980, Section 120.75.

Referred to the Committee on Education.

Messrs. Pehler, Olhoft, Bang, Schmitz and Davis introduced—

S.F. No. 2079: A bill for an act relating to taxation; changing certain procedures concerning delinquent property taxes and tax-forfeited land sales; indexing interest rates; allowing county boards to reduce installment contract

terms; providing alternate selling methods; allowing lease of certain lands without advertising for bids; simplifying distribution of tax-forfeited land proceeds; amending Minnesota Statutes 1980, Sections 278.08; 279.37, Subdivisions 1, 2; and by adding a subdivision; 282.01, Subdivision 4, and by adding a subdivision; 282.04, by adding a subdivision; 282.08; and 282.261; Minnesota Statutes 1981 Supplement, Section 279.03.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Ramstad, Frederickson and Benson introduced—

S.F. No. 2080: A bill for an act relating to proposing an amendment to the Minnesota Constitution, Article XI, Section 1; limiting state spending to a percentage of tax revenues.

Referred to the Committee on Finance.

Messrs. Wegener, Engler and Olhoft introduced—

S.F. No. 2081: A bill for an act relating to agriculture; establishing an apiary account in the state treasury; appropriating money; amending Minnesota Statutes 1980, Section 19.19, Subdivision 3.

Referred to the Committee on Agriculture and Natural Resources.

Mr. Johnson introduced—

S.F. No. 2082: A bill for an act relating to taxation; adjusting the distribution of the production tax to certain taxing jurisdictions; amending Minnesota Statutes 1981 Supplement, Section 298.28, Subdivision 1.

Referred to the Committee on Taxes and Tax Laws.

Mr. Menning introduced—

S.F. No. 2083: A bill for an act relating to crimes; requiring mandatory jail sentences for persons convicted of driving while under the influence of alcohol or a controlled substance; prescribing penalties; amending Minnesota Statutes 1980, Section 169.121, by adding a subdivision; Minnesota Statutes 1981 Supplement, Sections 169.121, Subdivision 5; and 609.135, Subdivision 1.

Referred to the Committee on Judiciary.

Mr. Menning introduced—

S.F. No. 2084: A bill for an act relating to taxation; providing for a refund to distributors of certain uncollected gasoline taxes; amending Minnesota Statutes 1980, Section 296.14, by adding a subdivision.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Davis, Schmitz, Bernhagen, Setzpfandt and Lessard introduced—

S.F. No. 2085: A bill for an act relating to retirement; providing for an exemption from membership therein for managers; modifying the income taxation of deferred compensation contributions by certain municipal utility

managers; amending Minnesota Statutes 1981 Supplement, Section 290.01, Subdivision 20, as amended; proposing new law coded in Minnesota Statutes, Chapter 353.

Referred to the Committee on Public Employees and Pensions.

Mr. Chmielewski introduced—

S.F. No. 2086: A bill for an act relating to natural resources; requiring rules and actions of the commissioner to be consistent with local zoning ordinances; amending Minnesota Statutes 1980, Section 84.03.

Referred to the Committee on Agriculture and Natural Resources.

Mr. Davies introduced—

S.F. No. 2087: A bill for an act relating to workers' compensation; regulating the second injury fund; providing coverage for certain occupational diseases; amending Minnesota Statutes 1980, Section 176.131, Subdivision 7.

Referred to the Committee on Employment.

Mr. Bang introduced—

S.F. No. 2088: A bill for an act relating to garnishment; authorizing an employer to recover expenses incurred for administering garnishment of an employee's wages; amending Minnesota Statutes 1980, Section 571.57.

Referred to the Committee on Judiciary.

Mr. Bang introduced—

S.F. No. 2089: A bill for an act relating to taxation; authorizing certain taxing jurisdictions to impose certain taxes or fees; proposing new law coded in Minnesota Statutes, Chapter 471; repealing Minnesota Statutes 1981 Supplement, Section 477A.016.

Referred to the Committee on Taxes and Tax Laws.

Mr. Dicklich introduced—

S.F. No. 2090: A bill for an act relating to state lands; authorizing sale and conveyance of a certain tract in order to correct a survey error.

Referred to the Committee on Agriculture and Natural Resources.

Mr. Dicklich introduced—

S.F. No. 2091: A bill for an act relating to retirement, Virginia police relief association; defining certain terms; providing for the governance of separate and distinct general and special funds; providing benefit improvements for certain participants and benefit recipients; validating adoption of police pension law for cities of the third class; validating past payments; repealing Laws 1935, Chapters 92 and 259; Laws 1937, Chapter 197; and Laws 1949, Chapter 235.

Referred to the Committee on Public Employees and Pensions.

Mr. Davies introduced—

S.F. No. 2092: A bill for an act relating to judicial procedures; extending the court's jurisdiction in certain domestic proceedings; amending Minnesota Statutes 1980, Section 543.19, Subdivision 1.

Referred to the Committee on Judiciary.

Mr. Davies introduced—

S.F. No. 2093: A bill for an act relating to insurance; authorizing the commissioner to enjoin violations of chapter 60A; amending Minnesota Statutes 1981 Supplement, Section 60A.17, Subdivision 6c.

Referred to the Committee on Commerce.

Mr. Davies introduced—

S.F. No. 2094: A bill for an act relating to professional records; providing for ownership and control of medical records by their individual subjects; providing for client ownership of certain records in the hands of an attorney; amending Minnesota Statutes 1980, Sections 144.335, Subdivision 2, and by adding a subdivision; 144.651; and 481.14.

Referred to the Committee on Judiciary.

Mr. Knoll introduced—

S.F. No. 2095: A bill for an act relating to state government; implementing the provisions of certain reorganization orders issued by the commissioner of administration; amending Minnesota Statutes 1980, Sections 176.281; and 474.01, Subdivisions 7a and 7b; and Minnesota Statutes 1981 Supplement, Section 474.03.

Referred to the Committee on Governmental Operations.

Messrs. Vega and Knoll introduced—

S.F. No. 2096: A bill for an act relating to metropolitan government; requiring the metropolitan waste control commission to submit certain information to the commissioner of energy, planning and development for review; amending Minnesota Statutes 1980, Section 473.535; and Minnesota Statutes 1981 Supplement, Section 4.12, Subdivision 2.

Referred to the Committee on Agriculture and Natural Resources.

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

S.F. No. 2097: A bill for an act relating to taxation; authorizing the designation of enterprise zones comprising areas of pervasive poverty, unemployment, and distress; classifying income derived from enterprises and employment in these areas for the purpose of taxation; amending Minnesota Statutes 1980, Sections 290.01, by adding subdivisions; 290.07, by adding a subdivision; 290.08, by adding a subdivision; 290.16, Subdivision 4, as amended; and 290.095, Subdivision 3; Minnesota Statutes 1981 Supplement, Section

290.01, Subdivision 20, as amended; 290.091, as amended; proposing new law coded in Minnesota Statutes, Chapter 290.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Luther; Merriam; Peterson, R. W. and Dahl introduced—

S.F. No. 2098: A bill for an act relating to energy; providing for the lease of potential hydropower sites by the state or political subdivisions; amending Minnesota Statutes 1980, Sections 272.02, Subdivision 1, and by adding a subdivision; 273.19, by adding a subdivision; and proposing new law coded in Minnesota Statutes, Chapter 116H.

Referred to the Committee on Energy and Housing.

Mr. Moe, R.D. introduced—

S.F. No. 2099: A bill for an act relating to taxation; extending the research and development credit to certain contributions; amending Laws 1981, Third Special Session Chapter 2, Article III, Section 6, Subdivisions 1 and 2.

Referred to the Committee on Taxes and Tax Laws.

Mrs. Lantry introduced—

S.F. No. 2100: A bill for an act relating to motor vehicles; limiting the issuance of vehicle registration plates or tabs under certain circumstances; prohibiting the issuance of arrest warrants for violations of parking laws by certain courts; defining parking violations and participating jurisdictions; requiring notice to violators; appropriating money; amending Minnesota Statutes 1980, Sections 169.99, Subdivision 1, and by adding a subdivision; and 171.16, Subdivision 3, and by adding subdivisions.

Referred to the Committee on Judiciary.

MOTIONS AND RESOLUTIONS - CONTINUED

Mr. Moe, R.D. moved that the Senate do now adjourn until 11:00 a.m., Thursday, February 18, 1982. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate