

SEVENTY-THIRD DAY

St. Paul, Minnesota, Thursday, February 18, 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. Charles Anderson.

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

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

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, Keefe and Sieloff were excused from the Session of today. Messrs. Hughes and Purfeerst were excused from the Session of today at 11:50 a.m.

REPORTS OF COMMITTEES

Mr. Moe, R.D. moved that the Committee Reports at the Desk be now adopted, with the exception of the report on S.F. No. 1532. The motion prevailed.

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

S.F. No. 1678: A bill for an act relating to the city of Minneapolis; provid-

ing for the security for certain rehabilitation loans; amending Laws 1977, Chapter 138, Section 2.

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

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

S.F. No. 1532: A bill for an act relating to taxation; permitting the city of Lonsdale to impose a special levy for fire protection purposes.

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

Delete everything after the enacting clause and insert:

“Section 1. [FIRE PROTECTION LEVY: TOWNS OF ERIN, FOREST, WEBSTER, AND WHEATLAND.]

The provisions of Minnesota Statutes, Section 368.85, Subdivision 6, limiting the levy of a town for the support of a fire protection district shall not apply to the levies of the towns of Erin, Forest, Webster, and Wheatland in Rice County for the purpose of providing fire protection.

Sec. 2. [REVERSE REFERENDUM.]

Prior to levying any tax authorized by section 1, the town boards of the towns named in section 1 shall adopt a joint resolution stating their intention to levy the tax, the amount and purpose of the levy, and a description of the property owners within their respective towns to be affected by the levy. The resolution shall be published once each week for two consecutive weeks in a newspaper of general circulation serving the area encompassing the fire protection district, and shall be published annually for any year in which the tax authorized by section 1 is proposed to be levied. The tax may be levied without a referendum unless within 21 days after the second publication of the resolution a petition requesting a referendum signed by at least ten percent of the registered voters of the fire protection district is filed with the town clerk in any of the towns named in section 1. If a petition is filed, the tax authorized by section 1 may not be levied unless approved by a majority of the voters of the fire protection district at a regular or special election.

Sec. 3. [EFFECTIVE DATE.]

Section 1 is effective the day after compliance with Minnesota Statutes, Section 645.021, Subdivision 3, by the town boards of the towns of Erin, Forest, Webster, and Wheatland in Rice County.”

Amend the title as follows:

Page 1, line 2, delete “city of Lonsdale” and insert “towns of Erin, Forest, Webster, and Wheatland in Rice County”

Page 1, line 3, before the period, insert “; providing for a reverse referendum on the levy question”

And when so amended the bill do pass. Mr. Merriam questioned the reference thereon and, under Rule 35, the bill was referred to the Committee on Rules and Administration.

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

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

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

Page 1, lines 15 to 20, reinstate the stricken language and delete the new language

Page 1, line 21, reinstate the stricken "365.53, except when"

Page 1, line 21, after the stricken "all" insert "75 percent"

Page 1, line 21, reinstate the stricken "of the owners of the land which would be"

Page 1, lines 22 to 24, reinstate the stricken language

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

Mr. Purfeerst from the Committee on Transportation, to which was referred

S.F. No. 1710: A bill for an act relating to public safety; providing that fines and forfeited bail money from overweight vehicles apprehended at state-operated scales be placed in the highway user tax distribution fund; amending Minnesota Statutes 1981 Supplement, Section 299D.03, Subdivision 5.

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

Page 2, line 17, strike "All" and insert "Five-eighths of"

Page 2, line 19, after the period, insert "Three-eighths of such receipts shall be credited to the general revenue fund of the county."

Amend the title as follows:

Page 1, line 4, delete "placed in the" and insert "allocated between the state and certain political subdivisions"

Page 1, line 5, delete "highway user tax distribution fund"

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

Mr. Johnson from the Committee on Taxes and Tax Laws, to which was referred

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

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

Page 2, line 24, after the period, insert "*The court may not under this section enjoin the employer of an income tax return preparer for conduct described in clauses (1) through (4) of clause (a) of this subdivision engaged in by one or more of the employer's employees unless the employer was also actively involved in such conduct.*"

Page 3, line 17, after the period, insert "*The penalty under this section may not be assessed against the employer of an income tax preparer unless the employer was actively involved in the wilful attempt to understate the liability for a tax.*"

Page 5, line 3, after the period, insert "*The penalty under this section may not be assessed against the employer of a property tax refund return preparer unless the employer was actively involved in the wilful attempt to overstate the claim for property tax refund.*"

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

Mr. Johnson from the Committee on Taxes and Tax Laws, to which was referred

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.

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

Page 1, after line 6, insert:

"Section 1. Minnesota Statutes 1981 Supplement, Section 298.76, is amended to read:

298.76 [LOCAL LAWS, APPLICATION.]

Section 298.75 shall not supersede any local law, except that the provisions of section 298.75, subdivisions 2 and 3, shall supersede the provisions of any local law. *A county that imposes or may impose a gravel tax pursuant to a local law may elect to impose a tax pursuant to section 298.75 in lieu of the tax imposed pursuant to local law.*"

Page 1, line 20, delete "1" and insert "2"

Page 1, line 23, after "*effective*" insert "*the day following final enactment. Section 2 is effective*"

Page 2, line 1, delete "1" and insert "2"

Page 2, line 4, after "*specified by*" insert "*the previous resolution of*"

Page 2, line 5, delete "*resolution*" and insert "*which the rate of the gravel tax in that county was increased from five cents to ten cents per cubic yard*"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 2, after the semicolon, insert "authorizing counties imposing a gravel tax under local law to elect to impose a gravel tax under general law;"

Page 1, line 4, after "amending" insert "Minnesota Statutes 1981 Supple-

ment, Section 298.76; and''

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

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

S.F. No. 1613: A bill for an act relating to state departments and agencies; regulating the disposition of certain land within the capitol area; amending Minnesota Statutes 1981 Supplement, Section 15.50, Subdivision 6.

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

Page 2, lines 19 and 20, delete the new language

Page 2, line 24, after the period, insert "*All conveyances of property under subclauses (i) and (ii) shall be without compensation and shall be subject to any restrictive easements which the board may determine to be necessary for implementation of the comprehensive plan.*"

Page 2, lines 27 to 33, delete the new language

Page 3, after line 20, insert:

"(5) *At any time after acquiring a tax-forfeited parcel of property pursuant to the provisions of this subdivision, the board may direct the commissioner of administration to convey the parcel of property by quitclaim deed to the city of Saint Paul housing and redevelopment agency. The conveyance of property shall be without compensation and shall be subject to any restrictive easements which the board may determine to be necessary for implementation of the comprehensive plan.*"

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

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

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

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

Page 1, line 9, delete "*nine*" and insert "*three*"

Page 1, line 9, delete "*Three*" and insert "*One*"

Page 1, lines 10 and 11, delete "*three*" and insert "*one*"

Page 1, delete sections 2 and 3 and insert:

"Sec. 2. [STATE MEETING; PROCEDURES.]

The Minnesota conference commissioners shall establish procedures for a state meeting of representatives from labor, industry, and government to discuss job formation and the opportunity and need for job formation within the state. The meeting shall be held as soon as possible and be conducted according to the rules and procedures provided by the conference commissioners."

Page 2, line 1, delete "help" and insert "assist in"

Page 2, line 2, delete "March" and insert "January 15"

Page 2, line 3, delete "1"

Renumber the sections in sequence

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

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

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.

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

Delete everything after the enacting clause and insert:

"Section 1. [3.352] [LEGISLATIVE COMMISSION ON SCIENCE AND TECHNOLOGY.]

Subdivision 1. [CREATION, MEMBERSHIP, MEETINGS.] The legislative commission on science and technology is composed of three senators of the majority party and two senators of the minority party appointed by the subcommittee on committees of the committee on rules and administration, and three representatives of the majority party and two representatives of the minority party appointed by the speaker of the house. The commission shall be appointed and shall hold its first meeting not later than 30 days after enactment of this section. The commission shall elect a chairman from among its members. Meetings of the commission shall be held not less than six times each year.

Subd. 2. [PURPOSE, LEGISLATIVE FINDINGS.] The legislature finds that an increasing number of scientific and technical issues have become major questions of public policy. It further finds that many legislators need greater knowledge and experience in physical and biological sciences and other highly technical fields. Therefore, the legislature declares the need for an on-going staff function that will supply objective services in the areas of issue identification, policy option review, and access to outside professional resource persons. Oversight of the science and technology function shall be primarily the responsibility of the commission established in subdivision 1.

Subd. 3. [GENERAL DUTIES.] The commission shall advise and assist other legislators and standing committees through:

(a) identification of scientific and technological issues that may require legislative involvement in the near or long term future;

(b) improving legislator understanding of technical aspects of issues that come before the legislature;

(c) acquiring adequate access to the testimony and counsel of experts in various scientific and technological fields;

(d) sponsoring seminars or other learning experiences that improve legisla-

tor understanding of scientific and technological issues.

Subd. 4. [SCIENCE AND TECHNOLOGY RESOURCE COUNCIL.] The commission shall establish or continue a science and technology resource council composed of 15 members from the academic and scientific communities of Minnesota. Council members shall serve six year terms, with the terms of five members expiring at the end of each odd-numbered year. The membership of the council shall appoint replacements to fill expired terms and vacancies caused by death, disability, or resignation. In January of each even-numbered year the council shall elect a chairman and vice-chairman from among its members to serve two year terms. The council shall meet upon the call of the chairman or the request of a majority of the council's members. The chairman may create and abolish subcommittees.

All council members shall serve without compensation. However, members may be reimbursed for the actual expenses of attending meetings.

The council may advise and assist the commission on:

(1) holding seminars on science and technology subjects that will provide information to legislators;

(2) defining scientific and technological issues that will be important in the future and that may require legislative encouragement, prohibition, or regulation;

(3) reviewing documents prepared by legislative staff on scientific and technological subjects; and

(4) maintaining access to a pool of specialists and experts who can assist the legislature in consideration of science and technology policy issues.

Subd. 5. [STAFF AND APPROPRIATIONS FOR THE COMMISSION.] The legislative coordinating commission shall be responsible for staffing and appropriations to the commission as provided in Minnesota Statutes 1981 Supplement, Section 3.304, Subdivision 2a. The legislative coordinating commission may delegate staffing responsibilities to an existing staff office of the house of representatives or the senate, a joint legislative committee or office, or a state agency.

The legislative coordinating commission may accept and receive, on behalf of the commission, any grants, gifts, or other funds made available to the state for purposes consistent with this section.

Sec. 2. [APPROPRIATION.]

There is appropriated from the general fund to the legislative coordinating commission the amount of \$10,000 for purposes of section 1. This amount is available until June 30, 1983. Of this appropriation, not more than \$1,000 shall be used to reimburse members of the science and technology resource council for their actual expenses of attending meetings. The balance may be used for conducting seminars, publishing and distributing printed materials, and other expenses directly related to the purposes of this act.

Sec. 3. [REPEALER.]

Minnesota Statutes 1980, Section 3.351, is repealed.

Sec. 4. [EFFECTIVE DATE.]

This act is effective the day following final enactment. The science and technology resource council existing prior to Laws 1981, Third Special Session Chapter 2, Article 1, Section 2, Subdivision 1, Clause (a) (8) shall continue as the resource council established pursuant to section 1, subdivision 4."

Delete the title and insert:

"A bill for an act relating to the legislature; creating a legislative commission on science and technology; appropriating money; proposing new law coded in Minnesota Statutes, Chapter 3; repealing Minnesota Statutes 1980, Section 3.351."

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

Mr. Humphrey from the Committee on Energy and Housing, to which was referred

S.F. No. 1918: A bill for an act relating to manufactured homes; requiring manufacturers and dealers of manufactured homes to be licensed and regulated by the commissioner of administration; providing for the rights and duties of owners and residents of manufactured home parks; making certain changes in the procedure for titling manufactured homes; requiring park owners to adopt storm safety plans for the protection of residents; empowering municipalities to enforce certain ordinances within manufactured home parks and recreational camping areas; clarifying the procedures to be used in the repossession of a manufactured home; clarifying certain language; prohibiting certain practices; imposing fees and penalties; providing remedies; defining terms; proposing new law coded in Minnesota Statutes, Chapter 168A; proposing new law coded as Minnesota Statutes, Chapters 327B and 327C; amending Minnesota Statutes 1980, Sections 168A.02, Subdivision 3; 327.14; 327.16, Subdivision 2; 327.20, Subdivision 1; 327.24, by adding a subdivision; 327.26; 327.27, Subdivision 2, and by adding a subdivision; 327.62, Subdivision 2; 327.63; 327.65; 327.66; 363.02, by adding a subdivision; and 566.18, Subdivisions 2, 7, and 8; repealing Minnesota Statutes 1980, Sections 327.41; 327.42; 327.43; 327.45; 327.451; 327.452; 327.46; 327.47; 327.51; 327.52; 327.53; 327.54; 327.55; 327.551; 327.552; 327.553, Subdivisions 2, 3 and 4; 327.554; 327.56; and Minnesota Statutes 1981 Supplement, Sections 327.44; 327.441; 327.55, Subdivision 1a; and 327.553, Subdivision 1.

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

Page 4, line 23, after "*deposit*" insert "*, share draft*"

Page 5, line 16, after "*delivery*" insert "*of the manufactured home*"

Page 6, delete lines 34 and 35

Reletter the remaining clauses in sequence

Page 7, line 11, after "*applicant's*" insert "*qualifications and*"

Page 8, line 9, delete "*regulations*" and insert "*rules*"

Page 8, line 35, delete "*, and for a*" and insert "*or*"

Page 9, line 14, delete "*of this section*"

Page 10, delete lines 9 to 12

Page 10, line 27, delete "*permission from*" and insert "*first notifying*"

Page 10, delete lines 31 to 33

Reletter the remaining clauses in sequence

Page 11, line 30, delete "*of this section*"

Page 12, line 28, delete everything before the period and insert "*authority to conduct a hearing to a hearing examiner*"

Page 14, line 30, delete "*regulations*" and insert "*rules*"

Page 16, line 14, delete "*who is not an affiliate of the dealer*"

Page 16, line 21, after "*rules*" insert "*and issue orders*"

Page 16, line 22, after "*implement*" insert "*and administer*"

Page 17, after line 26, insert:

"Sec. 14. [TEMPORARY SURCHARGE.]

For purposes of defraying costs of administering the provisions of sections 1 to 13, a \$30 surcharge is imposed on each application for a license or license renewal submitted during calendar year 1983. This surcharge shall expire December 31, 1983. All surcharge income is appropriated to the department of administration, building code division, for costs directly attributed to the requirements of sections 1 to 13; any additional income shall cancel on December 31, 1983, to the general fund."

Reletter the sections in sequence and correct internal references

Pages 18 and 19, delete section 1

Page 20, line 3, after the comma, insert "*promote the good appearance and facilitate the efficient operation of the park,*"

Page 20, line 4, after "*abusive*" insert "*or improper*"

Page 20, line 9, after "*or*" insert "*unjustifiably*"

Page 20, line 15, delete "*or her*"

Page 20, line 21, after "*(a)*" insert "*significantly*"

Page 20, line 22, delete "*or important*"

Page 20, line 23, after "*(b)*" insert "*significantly*"

Page 20, line 23, delete "*important or*"

Page 20, line 32, delete "*Any*"

Page 20, delete line 33

Page 20, line 34, delete "*retain*"

Page 20, line 34, after "*agreement*" insert "*shall be given to the applicant*"

Page 21, line 1, delete "*or incorporate by reference*"

Page 21, line 4, delete "*are to be*"

Page 21, line 5, delete "*provided by*"

Page 21, line 5, delete "*for*" and insert "*agrees to provide to*"

Page 21, line 7, delete everything after "*resident*" and insert a semicolon

Page 21, delete lines 8 and 9

Page 21, line 15, delete "*sixty*" and insert "*60*"

Page 21, line 16, delete "*, and must specify in writing the reason for the change*"

Page 21, line 17, after "*resident*" insert "*initially*"

Page 21, line 20, after "*the*" insert "*original*"

Page 21, line 21, delete "*or a*" and insert "*is not a substantial modification of the rental agreement and is not considered to be a rule for purposes of section 2, subdivision 9. A*"

Page 21, line 23, after the period insert "*A rule change requiring all residents to maintain their homes, sheds and other appurtenances in good repair and safe condition shall not be deemed a substantial modification of a rental agreement. If a part of a resident's home, shed or other appurtenance becomes so dilapidated that repair is impractical and total replacement is necessary, the park owner may require the resident to make the replacement in conformity with a generally applicable rule adopted after the resident initially entered into a rental agreement with the park owner.*"

In any action in which a rule change is alleged to be a substantial modification of the rental agreement, a court may consider the following factors in limitation of the criteria set forth in section 2, subdivision 12:

(a) any significant changes in circumstances which have occurred since the original rule was adopted; and

(b) any compensating benefits which the rule change may produce for the resident."

Page 21, line 24, delete "*serve any*" and insert "*give*"

Page 21, line 25, delete "*to be served on a resident*"

Page 21, line 25, delete the second "*by*"

Page 21, line 27, delete "*certified*" and insert "*ordinary*"

Page 21, line 27, before "*mailing*" insert "*last known*"

Page 21, line 28, delete "*Service*" and insert "*Notice*"

Page 21, line 29, delete "*certified*"

Page 21, line 32, after "*secure*" insert "*and conspicuous*"

Page 22, line 13, after "*or*" insert "*substantially endanger*"

Page 22, line 21, delete "*2*" and insert "*seven*"

Page 22, line 23, delete "*, and*" and insert a period

Page 22, line 32, delete "*fifteen*" and insert "*15*"

Page 22, line 34, after "*resident*" insert "*, and you must advise in writing anyone who wants to buy your home that the sale is subject to final approval by the park owner*"

Page 23, line 6, delete "PERMISSIBLE"

Page 23, line 12, delete the comma and insert "AND"

Page 23, line 12, delete "AND APPLICATION"

Page 23, line 13, delete "in writing"

Page 23, line 15, after the period, insert "*The contract must be in writing and*"

Page 23, line 15, delete "*a reasonable price*"

Page 23, line 16, delete "*this*" and insert "*the*"

Page 23, line 16, delete "*must*" and insert "*may*"

Page 23, line 22, delete the comma and insert "*or*"

Page 23, line 22, delete "*or special nature*"

Page 23, line 24, delete "*or her*"

Page 23, line 29, delete everything after "*home*"

Page 23, line 30, delete "*by the resident*"

Page 23, line 32, after the period, insert "*The park owner may charge an additional fee for pets owned by the resident, but the fee may not exceed \$4 per pet per month. This subdivision does not prohibit a park owner from abating the rent of a particular resident with special needs.*"

Page 24, line 1, after "*property*" insert "*, including any damage done by the resident in the installation or removal of the resident's home*"

Page 24, line 8, delete "*fifteen dollars*" and insert "\$10"

Page 24, line 18, delete "*makes*" and insert "*serves the resident with a written notice of*"

Page 24, line 18, delete "*in writing*"

Page 24, after line 27, insert:

"Charges incurred pursuant to this subdivision shall not be considered as rental payments. The notice required by clause (c) shall specify the work performed, the date of its performance, the total cost of performing the work, the method used in computing the cost and a deadline for payment by the resident. The deadline shall not be less than 30 days after the service of the notice."

Page 25, line 5, delete "*fifteen*" and insert "15"

Page 26, line 6, delete "UNREASONABLE" and "PROHIBITED"

Page 26, line 12, after the comma insert "*any rule which violates any provision of this article or of any other law shall be deemed unreasonable, and*"

Page 26, line 22, after the semicolon, insert "*and*"

Page 26, line 24, delete "*; and*" and insert a period

Page 26, delete lines 25 and 26

Page 26, line 27, after the headnote, insert "*In addition to the rules listed in subdivision 2*"

Page 26, line 28, delete "*not listed in subdivision 2*"

Page 26, line 36, delete "*located within the*" and insert a period

Page 27, delete lines 1 and 2

Page 27, delete lines 4 and 5

Page 27, line 6, delete "*Subd. 2.*" and insert "*Subdivision 1.*"

Page 27, line 8, delete "*sixty*" and insert "*60*"

Page 27, line 10, delete "*3*" and insert "*2*"

Page 27, line 13, delete everything after "*agency*" and insert a period

Page 27, delete lines 14 and 15

Page 27, line 16, delete "*4*" and insert "*3*"

Page 27, line 19, after the headnote, insert "*Except as otherwise provided in this section.*"

Page 27, line 20, delete "*or her*"

Page 27, line 22, delete "*fifteen*" and insert "*15*"

Page 27, line 24, delete "*twenty-five dollars*" and insert "*\$25*"

Page 27, line 29, delete "*must*" and insert "*may*"

Page 27, line 36, delete everything after "*(a)*" and insert "*the park owner has specified in writing the procedures and criteria used to evaluate the credit-worthiness and suitability as a resident of individuals seeking to buy homes offered for in park sale;*

(b) the written disclosure required by clause (a) is made available on request at no charge to residents, prospective buyers, and their agents;

(c) the park owner is available to the prospective buyer at reasonable times if the park owner requires the prospective buyer to apply or be interviewed in person;"

Reletter the clauses in sequence

Page 28, delete lines 1 and 2

Page 28, line 4, after "*reasonable*" insert "*and applied uniformly*"

Page 28, line 10, delete "*fourteen*" and insert "*14*"

Page 28, line 12, after the second "*the*" insert "*specific reasons for the*"

Page 28, line 15, delete "*the seller and*"

Page 28, line 17, after "*request*" insert "*for an explanation*"

Page 28, line 36, after "*rules*" insert "*applicable to the resident and*"

Page 29, lines 1 and 8, delete "*must*" and insert "*may*"

Page 29, line 5, after "*compliance*" insert "*with pre-existing maintenance rules applicable to the resident.*"

Page 29, lines 12 and 14, delete "*substantially*" and insert "*significantly*"

Page 29, line 16, delete "*substantial*" and insert "*significant*"

Page 29, line 17, before the period, insert ". *except for costs involved in doing any work necessary to bring the home or lot into compliance with pre-existing maintenance rules applicable to the resident*"

Page 29, after line 17, insert:

"Provided that if a part of the resident's home, shed, or other appurtenance has become so dilapidated that repair is impractical and total replacement is necessary, the park owner may require the resident or prospective buyer to make the replacement in conformity with a generally applicable rule adopted after the resident initially entered into a rental agreement with the park owner."

Page 29, line 21, delete "*must*" and insert "*may*"

Page 29, line 22, after "*but*" insert "*the rent must be paid on time and*"

Page 30, line 14, after the semicolon, insert "*and*"

Page 30, line 27, delete "*rent*" and insert "*periodic rental*"

Page 30, line 31, delete "*regulation*" and insert "*rule*"

Page 30, line 33, delete "*regulation*" and insert "*rule*"

Page 31, line 2, delete "*must*" and insert "*requirement does*"

Page 31, line 5, delete "*substantially annoys or*"

Page 31, line 6, after "*personnel*" delete "*or*" and insert a comma

Page 31, line 7, after "*premises*" insert "*or substantially annoys other residents,*"

Page 31, line 10, delete the semicolon and insert ". *A park owner seeking to evict pursuant to this subdivision need not produce evidence of a criminal conviction, even if the alleged misconduct constitutes a criminal offense.*"

Page 31, line 13, before "*rule*" insert "*state*"

Page 31, line 16, after "*future*" insert "*serious*"

Page 31, line 18, delete "*nine*" and insert "*six*"

Page 31, line 18, delete "*violates*" and insert "*commits a serious violation of*"

Page 31, line 19, delete "*material or important*" and insert "*park*"

Page 31, line 20, before "*rule*" insert "*state*"

Page 31, line 33, delete "*a section of*" and "*where the*"

Page 31, line 34, delete "*other homes are compatible with the resident's home,*"

Page 31, line 35, after "*lot*" insert "*unless the home, because of its size or local ordinance, is not compatible with that lot*"

Page 31, line 35, after the period, insert "*If no other lots are available in the*

park, the park owner must offer the resident a written option to rent the first lot which becomes available in the park. The option may be transferred only as part of a sale of the resident's home, and the transfer is subject to the park owner's approval of the transferee as a resident."

Page 32, line 5, delete *"where the other homes are compatible with"*

Page 32, line 6, delete *"the resident's home,"*

Page 32, line 7, after *"lot"* insert *"unless the home, because of its size or local ordinance, is not compatible with that lot"*

Page 32, line 7, after the period, insert *"If no lot is available, and any part of the park premises is intended for future use as a park, the park owner must offer the resident a written option to rent the first lot which becomes available at the park location. The option may be transferred only as part of a sale of the resident's home, and the transfer is subject to the park owner's approval of the transferee as a resident."*

Page 32, line 11, after the first *"the"* insert *"sum allegedly due contains a charge which violates section 4, or that the"*

Page 32, line 12, delete *“, with the regulations”*

Page 32, delete line 13

Page 32, line 14, delete *"327.20, subdivision 2"*

Page 32, line 14, delete everything after the period

Page 32, delete lines 15 to 17

Page 32, line 36, delete *"eighteen"* and insert *"12"*

Page 32, after line 36, insert:

"An exercise of the right of redemption shall not be counted for the purposes of this subdivision if the resident pays not only the rent due and the park owner's court costs, but also the park owner's actual reasonable attorney's fees."

Page 33, line 13, delete *"two"* and insert *"seven"*

Page 33, line 21, after *"(a)"* insert *"neither"*

Page 33, line 21, delete *"and"* and insert *"nor members of"*

Page 33, line 21, delete *"do not"*

Page 33, line 24, after the semicolon, insert *"and"*

Page 33, line 27, after *"days"* insert *"written"*

Page 33, line 33, delete *"must not threaten to"* and insert *"may"*

Page 34, line 6, delete *"owner"*

Page 34, line 28, delete *"must not"* and insert *"may"*

Page 34, line 29, after *"lot"* insert *"whenever necessary to respond to or prevent an emergency, but otherwise may not come onto the lot"*

Page 34, line 33, delete *"15"* and insert *"14"*

Page 35, delete lines 4 and 5

Page 35, line 6, delete "(2)" and insert "(1)"

Page 35, line 9, delete "(3)" and insert "(2)"

Page 35, line 13, after "2" delete the semicolon and insert a comma

Page 35, line 13, after "4" delete the comma

Page 35, line 24, strike "such" and insert "that"

Page 36, line 8, before "Minnesota" insert "Subdivision 1."

Page 36, line 9, delete "and Minnesota Statutes" and insert "are repealed."

Page 36, delete line 10 and insert:

"Subd. 2. Minnesota Statutes 1981 Supplement, Sections 327.44 and 327.441 are repealed."

Page 36, line 12, delete "19" and insert "20, subdivision 1,"

Page 36, line 15, after "17" delete "and 18" and insert "to 19, and 20, subdivision 2,"

Renumber the sections in sequence and correct internal references

Page 36, line 23, after "home" insert ", as defined in section 327.31, subdivision 6. In every certificate of title issued for a manufactured home, the department shall insert the following notice: THIS TITLE DESCRIBES A MANUFACTURED HOME NOT A MOTOR VEHICLE"

Page 36, line 23, delete everything after the period

Page 36, delete lines 24 and 25

Page 38, line 33, strike "Provided, that"

Page 39, line 1, strike "regulations" and insert "rules"

Page 41, line 26, strike "regulations" and insert "rules"

Page 41, line 28, after "(6)" insert "In the case of a manufactured home park,"

Page 41, line 29, delete "a manufactured home" and insert "the"

Page 41, line 30, delete "or recreational camping area"

Page 41, line 35, delete "or area"

Page 41, line 35, after the period, insert "Nothing in this paragraph requires the department of health to review or approve any shelter or evacuation plan developed by a park. Failure of a municipality to approve a plan submitted by a park shall not be grounds for action against the park by the department of health if the park has made a good faith effort to develop the plan and obtain municipal approval."

Page 42, line 4, delete "and regulations"

Page 45, after line 5, insert:

"Sec. 14. [EFFECTIVE DATE.]

Sections 1 to 4 and 6 to 13 are effective August 1, 1982. Section 5 is effective

January 1, 1983."

Correct internal references

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

Mr. Hughes from the Committee on Education, to which was referred

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

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

Mr. Hughes from the Committee on Education, to which was referred

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

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

Mr. Hughes from the Committee on Education, to which was referred

H.F. No. 1724: A bill for an act relating to Independent School District No. 507, Nicollet; authorizing a transfer of funds collected by referendum levy to reduce statutory operating debt.

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

Mr. Hughes from the Committee on Education, to which was referred

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

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

Mr. Hughes from the Committee on Education, to which was referred

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

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

Page 2, after line 6, insert:

"Sec. 3. Minnesota Statutes 1980, Section 136.88, Subdivision 5, is amended to read:

Subd. 5. A teacher who is reinstated to the same or similar position after an extended leave pursuant to this section shall not lose tenure or credit for previous seniority in the employing community college or state university. A teacher shall not accrue seniority credit during the time of a leave of absence pursuant to this section, *except that a teacher at a community college or state university may accrue seniority credit during the leave, consistent with the conditions of the collective bargaining agreement.*"

Amend the title as follows:

Page 1, line 4, after "board;" insert "allowing teachers at a community college or state university to accrue seniority during a leave of absence;"

Page 1, line 5, delete "and"

Page 1, line 5, after "136.13" insert "; and 136.88, Subdivision 5"

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

Mr. Hughes from the Committee on Education, to which was referred

S.F. No. 1635: A bill for an act relating to education; eliminating a requirement that school districts submit separate corrections of all auditor adjustments; amending Minnesota Statutes 1980, Section 121.908, Subdivision 3.

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

Page 1, line 14, reinstate the stricken language

Page 1, line 14, before "the" insert "*material difference in*"

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

Mr. Hughes from the Committee on Education, to which was referred

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.

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

Page 1, line 12, before the period, insert "*during the learning year*"

Page 1, line 17, after "4," delete "a" and insert "any"

Page 1, line 17, after "*district*" insert "*, including a district*".

Page 1, line 18, after "121.507" insert a comma

Page 1, line 20, delete "*in any manner approved by the state board*"

Page 1, line 20, before "*number*" insert "*required*"

Page 1, line 22, delete "*instructional hours prescribed*" and insert "*number specified*"

Page 1, line 23, delete "*times 175 days*"

Amend the title as follows:

Page 1, line 2, after "education;" insert "encouraging school districts to make efficient and effective use of the learning year;"

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

Mr. Hughes from the Committee on Education, to which was referred

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

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

Page 1, line 18, reinstate everything after the period

Page 1, lines 19 to 22, reinstate the stricken language

Page 1, line 21, strike "October" and insert "August"

Page 1, lines 22 to 24, delete the new language

Amend the title as follows:

Page 1, line 5, after "billings" insert "if notification is"

And when so amended the bill do pass and be placed on the Consent Calendar. Amendments adopted. Report adopted.

Mr. Hughes from the Committee on Education, to which was referred

S.F. No. 1698: A bill for an act relating to education; removing the requirement of commissioner of education's approval when the proceeds of the capital expenditure levy are used to rent or lease buildings for school purposes; removing general procedures requiring and governing commissioner of education's approval of contracts for rental of school rooms, buildings or other facilities; amending Minnesota Statutes 1980, Section 123.78, Subdivision 1; Minnesota Statutes 1981 Supplement, Section 275.125, Subdivision 11a; repealing Minnesota Statutes 1980, Section 123.37, Subdivisions 3 to 14.

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

Page 2, line 32, reinstate the stricken "acquire" and delete "purchase"

Page 3, line 1, reinstate the stricken "acquisition" and delete "purchase"

Page 3, line 3, reinstate the stricken "acquisition" and delete "purchase"

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

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

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

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

Page 1, after line 13, insert:

“Section 1. Laws 1969, Chapter 937, Section 1, Subdivision 1, as amended by Laws 1973, Chapter 132, Section 1, Laws 1974, Chapter 105, Section 1, Laws 1978, Chapter 652, Section 1, and Laws 1980, Chapter 448, Section 1, is amended to read:

Section 1. [MINNEAPOLIS, CITY OF; PERSONNEL.]

Subdivision 1. Notwithstanding any provisions of the Minneapolis city charter, veterans preference act, or civil service rule, law, or regulation to the contrary, the positions referred to in subdivisions 2 to & 18 of this section shall be in the unclassified service of the city of Minneapolis, and any person presently holding or who shall hereafter be appointed to any of such positions shall serve at the pleasure of the appointing authority indicated in the respective subdivision. Except as herein otherwise provided such persons shall be eligible for the same employee benefits as persons in the classified service.

Sec. 2. Laws 1969, Chapter 937, Section 1, is amended by adding subdivisions to read:

Subd. 9. The city coordinator of the city of Minneapolis may appoint a person to the following positions to perform the duties and services he may direct:

- (a) Purchasing agent;*
- (b) Management information services director;*
- (c) Director of labor relations;*
- (d) Director of affirmative action;*
- (e) Manager of auditorium;*
- (f) Director of federal programs;*
- (g) Legislative liaison;*
- (h) Director of energy programs;*
- (i) Manager of licenses and consumer services;*
- (j) Manager, finance - city council.*

Subd. 10. The city assessor of the city of Minneapolis may appoint a director of assessments to perform the duties and services he may direct.

Subd. 11. The city clerk of the city of Minneapolis may appoint an assistant city clerk to perform the duties and services he may direct.

Subd. 12. The civil service commission of the city of Minneapolis may appoint a civil service personnel director to perform the duties and services they may direct.

Subd. 13. The director, emergency communications, of the city of Minneapolis may appoint an assistant director, emergency communications to perform the duties and services he may direct.

Subd. 14. The city engineer of the city of Minneapolis may appoint nine public works division heads to perform the duties and services he may direct.

Subd. 15. The comptroller/treasurer of the city of Minneapolis may appoint an assistant comptroller/treasurer to perform the duties and services he may

direct.

Subd. 16. The health commissioner of the city of Minneapolis may appoint seven bureau directors to perform the duties and services he may direct.

Subd. 17. The board of estimate and taxation of the city of Minneapolis may appoint an executive secretary, board of estimate and taxation, to perform the duties and services they may direct.

Subd. 18. By majority vote, the city council of the city of Minneapolis may appoint a person to the following positions to perform the duties and services they may direct:

(a) Chief engineer of the fire department. Laws 1969, Chapter 937, Section 2 shall only apply to a chief engineer appointed pursuant to this subdivision.

(b) Executive secretary, capital long range improvement committee."

Page 3, line 24, after the period, insert "The authority to make a lump sum payment or to make an agreement to make installment payments shall expire on July 1, 1983."

Page 5, line 24, after the period, insert "Sections 1 and 2 of"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 2, after the semicolon, insert "providing for positions in the unclassified service;"

Page 1, line 10, before "1980" insert "1969, Chapter 937, Section 1, Subdivision 1, as amended, and by adding subdivisions; and Laws"

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

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

H.F. No. 1732 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.
1732	1703				

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H.F. No. 1732 be amended as follows:

Page 1, line 9, delete "is" and insert "are"

Page 1, line 23, delete "electroencephalogram" and insert " electrocardiogram"

And when so amended H.F. No. 1732 will be identical to S.F. No. 1703, and further recommends that H.F. No. 1732 be given its second reading and substituted for S.F. No. 1703, 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. 1678, 1749, 1710, 1744, 1804, 1613, 1756, 1741, 1635, 1812, 1721, 1698 and 1715 were read the second time.

SECOND READING OF HOUSE BILLS

H.F. Nos. 1614, 1724, 1574 and 1732 were read the second time.

MOTIONS AND RESOLUTIONS

Mr. Davis moved that the name of Mr. Merriam be added as a co-author to S.F. No. 1744. The motion prevailed.

Mr. Wegener moved that the name of Mr. Davis be added as a co-author to S.F. No. 1970. The motion prevailed.

Mr. Keefe moved that the name of Mr. Nelson be added as a co-author to S.F. No. 1975. The motion prevailed.

CONFIRMATION

Mr. Olhoft moved that the report from the Committee on General Legislation and Administrative Rules, reported February 17, 1982, pertaining to appointments, be taken from the table. The motion prevailed.

Mr. Olhoft moved that the foregoing report be now adopted. The motion prevailed.

Mr. Olhoft moved that in accordance with the report from the Committee on General Legislation and Administrative Rules, reported February 17, 1982, the Senate, having given its advice, do now consent to and confirm the appointments of:

BOARD OF THE ARTS

Anne Ehrhardt, R.R. #2, Box 90, Albert Lea, Freeborn County, effective April 13, 1981, for a term expiring the first Monday in January, 1983.

Patricia Lund, 4814 Lakeview Drive, Edina, Hennepin County, effective April 13, 1981, for a term expiring the first Monday in January, 1985.

Jean Mars, 2520 East Third Street, Duluth, St. Louis County, effective April 13, 1981, for a term expiring on the first Monday in January, 1985.

Leonard Nadasdy, 5515 Lake Sarah Heights Drive, Loretto, Hennepin County, effective April 13, 1981, for a term expiring the first Monday in January, 1985.

The motion prevailed. So the appointments were confirmed.

RECESS

Mr. Moe, R.D. moved that the Senate do now recess subject to the call of the

President. The motion prevailed.

After a brief recess, the President called the Senate to order.

MOTIONS AND RESOLUTIONS - CONTINUED

Pursuant to Rule 10, Mr. Moe, R.D., Chairman of the Subcommittee on Bill Scheduling, designated the General Orders Calendar a Special Orders Calendar to be heard immediately.

SPECIAL ORDER

S.F. No. 1687: A bill for an act relating to Ramsey county; providing for the organization, powers and duties of the Saint Paul-Ramsey Medical Center commission; permitting the issuance of revenue bonds; amending Laws 1974, Chapter 435, Section 3.14, as amended.

Mrs. Lantry moved to amend S.F. No. 1687, as follows:

Page 3, line 21, after "duties." insert "*The commission's employees are subject to the Ramsey County civil service law and the rules related to it.*"

Page 8, line 9, after "commission." insert "*The commission may purchase, hold and convey personal property and hold and convey real property in its own name. With the prior approval of the Ramsey County board of commissioners, the commission may purchase real property in its own name.*"

The motion prevailed. So the amendment was adopted.

S.F. No. 1687 was then progressed.

SPECIAL ORDER

SUSPENSION OF RULES

Mr. Knoll moved that an urgency be declared within the meaning of Article IV, Section 19, of the Constitution of Minnesota, with respect to H. F. No. 1732 and that the rules of the Senate be so far suspended as to give H. F. No. 1732, now on Special Orders, its third reading and place it on its final passage. The motion prevailed.

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.

Mr. Knoll moved that the amendment made to H.F. No. 1732 by the Committee on Rules and Administration in the report adopted February 18, 1982, pursuant to Rule 49, be stricken. The motion prevailed. So the amendment was stricken.

Mr. Stern moved to amend H.F. No. 1732 as follows:

Page 2, line 1, delete everything after "*effective*" and insert "*March 1, 1982*"

Page 2, delete line 2

Page 2, line 3, delete everything before the period

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

H.F. No. 1732 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 49 and nays 10, as follows:

Those who voted in the affirmative were:

Belanger	Engler	Menning	Peterson, R.W.	Stern
Berghin	Frank	Merriam	Petty	Stokowski
Bernhagen	Frederickson	Moe, D. M.	Ramstad	Taylor
Bertram	Hanson	Moe, R. D.	Renneke	Tennessee
Chmielewski	Knoll	Nelson	Rued	Ulland
Dahl	Kroening	Olhoff	Schmitz	Vega
Davies	Langseth	Pehler	Setzepfandt	Waldorf
Davis	Lantry	Penny	Sikorski	Wegener
Dicklich	Lessard	Peterson, C.C.	Solon	Willet
Dieterich	Luther	Peterson, D.L.	Spear	

Those who voted in the negative were:

Ashbach	Benson	Brataas	Kamrath	Kronebusch
Bang	Berg	Frederick	Knutson	Pillsbury

So the bill passed and its title was agreed to.

SPECIAL ORDER

S.F. No. 744: A bill for an act relating to natural resources; changing and clarifying administrative provisions regarding watershed districts; increasing per diem for district managers; stating procedures for adopting rules by managers; requiring revision of certain plans every ten years; allowing cash bonds; clarifying emergency procedures; amending Minnesota Statutes 1980, Sections 105.71, Subdivision 1a, and by adding subdivisions; 106.271; 106.471, Subdivision 1; 112.35, Subdivision 19; 112.37, Subdivision 1; 112.39, Subdivision 1; 112.42, Subdivisions 3, 5 and 6; 112.43, Subdivisions 1, 3, and by adding a subdivision; 112.46; 112.47; 112.48, Subdivisions 1, 2, and 4; 112.49, Subdivisions 1 and 7; 112.58; 112.61, Subdivision 3; 112.62, Subdivision 1; 112.64; 112.65, Subdivision 2; and 112.801, Subdivision 8; and Minnesota Statutes 1981 Supplement, Section 112.53, Subdivision 1.

Mr. Hanson moved to amend S.F. No. 744 as follows:

Page 5, line 3, strike “, and” and insert “ *Managers*”

The motion prevailed. So the amendment was adopted.

Mr. Hanson then moved to amend S.F. No. 744 as follows:

Page 12, line 13, delete the new language and insert “*over which the proposed project passes or is located,*”

Page 12, line 19, delete the new language

Page 12, line 20, delete the first “*project*”

The motion prevailed. So the amendment was adopted.

Mr. Hanson then moved to amend S.F. No. 744 as follows:

Page 4, lines 18 to 20, delete the new language

The motion prevailed. So the amendment was adopted.

Mr. Merriam moved to amend S.F. No. 744 as follows:

Page 2, line 9, strike everything after "or"

Page 2, strike lines 10 and 11

Page 2, line 12, strike "limits" and insert "*by at least 50 eligible voters who reside in the proposed district, other than residents*"

Page 2, line 12, strike "the" and insert "an"

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

Mr. Willet moved to amend S.F. No. 744 as follows:

Page 21, line 19, reinstate "\$10,000" and delete "\$20,000"

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

S.F. No. 744 was read the third time, as amended, and placed on its final passage.

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

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

Those who voted in the affirmative were:

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

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

CALENDAR

H.F. No. 1616: A bill for an act relating to counties; fixing the maximum amount of county money that may be spent by development organizations for certain county developments; amending Minnesota Statutes 1980, Section 395.08.

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 57 and nays 1, as follows:

Those who voted in the affirmative were:

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

Mr. Davies voted in the negative.

So the bill passed and its title was agreed to.

S.F. No. 233: A bill for an act relating to retirement; authorizing the repayment of a refund by certain current and former University of Minnesota, Duluth campus, employees; providing for the recomputation of certain retirement annuities.

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

So the bill passed and its title was agreed to.

S.F. No. 1510: A bill for an act relating to highway traffic regulations; removing certain requirements for bug deflectors; amending Minnesota Statutes 1980, Section 169.743.

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 49 and nays 10, as follows:

Those who voted in the affirmative were:

Ashbach	Davies	Knutson	Olhoft	Sikorski
Bang	Dicklich	Kronebusch	Pehler	Solon
Belanger	Dieterich	Langseth	Penny	Spear
Benson	Engler	Lantry	Peterson, D. L.	Stern
Berg	Frank	Lessard	Peterson, R. W.	Stokowski
Berglin	Frederickson	Lindgren	Petty	Stumpf
Bernhagen	Hanson	Merriam	Ramstad	Tennessee
Bertram	Johnson	Moe, D. M.	Renneke	Vega
Brataas	Kamrath	Moe, R. D.	Rued	Wegener
Chmielewski	Knoll	Nelson	Schmitz	

Those who voted in the negative were:

Dahl
Davis

Kroening
Luther

Menning
Peterson, C. C.

Setzepfandt
Ulland

Waldorf
Willet

So the bill passed and its title was agreed to.

S.F. No. 1499: A bill for an act relating to motor vehicles; providing for special license plates for former prisoners of war; proposing new law coded in Minnesota Statutes, Chapter 168.

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 1, as follows:

Those who voted in the affirmative were:

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

Mr. Spear voted in the negative.

So the bill passed and its title was agreed to.

S.F. No. 1256: A bill for an act relating to state government; directing the commissioner of administration to obtain state office space in certain types of historically significant buildings when practical; amending Minnesota Statutes 1980, Section 16.243.

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

So the bill passed and its title was agreed to.

S.F. No. 1621: A bill for an act relating to state government; removing the geographic limitation on state and public employees' eligibility for the state employee transportation program; amending Minnesota Statutes 1981 Supple-

ment, Section 16.756, Subdivision 1a.

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

So the bill passed and its title was agreed to.

S. F. No. 709: A bill for an act relating to optometrists; authorizing the use of certain topical ocular drugs; providing for education, training and testing requirements; requiring an emergency treatment plan; requiring advice to patients to seek evaluation by physician under certain conditions; providing a penalty; amending Minnesota Statutes 1980, Section 148.57, Subdivision 3; proposing new law coded in Minnesota Statutes, Chapter 148.

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 2, as follows:

Those who voted in the affirmative were:

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

Messrs. Frederickson and Petty voted in the negative.

So the bill passed and its title was agreed to.

INTRODUCTION AND FIRST READING OF SENATE BILLS

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

Messrs. Merriam, Lindgren, Johnson, Petty and Frederick introduced—

S.F. No. 2101: A bill for an act relating to the arts; requiring the state arts board to give special consideration to certain individuals and organizations; changing requirements for advisory committee members; requiring written reports from advisory committees to applicants for assistance; amending Minnesota Statutes 1980, Section 139.10, Subdivisions 1 and 2.

Referred to the Committee on General Legislation and Administrative Rules.

Mr. Solon introduced—

S.F. No. 2102: A bill for an act relating to the city of Duluth; providing for the size of the housing and redevelopment authority.

Referred to the Committee on Local Government and Urban Affairs.

Mr. Pehler introduced—

S.F. No. 2103: A bill for an act relating to retirement; St. Cloud firefighters relief association; clarifying and resolving an inconsistency in prior enactments concerning medical and health insurance coverage for certain relief association members; amending Laws 1974, Chapter 382, Sections 4, Subdivision 3, as amended; and 6, Subdivision 4.

Referred to the Committee on Public Employees and Pensions.

Messrs. Engler, Frederick, Bang and Sieloff introduced—

S.F. No. 2104: A bill for an act relating to taxation; providing for conformity to federal income tax treatment of contributions to individual retirement accounts and Keogh plans and of distributions of certain utility stock; amending Minnesota Statutes 1981 Supplement, Section 290.01, Subdivision 20, as amended.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Spear and Moe, D.M. introduced—

S.F. No. 2105: A bill for an act relating to retirement; teachers' surviving dependent children benefits; joint and survivor elections by spouse; amending Minnesota Statutes 1981 Supplement, Section 354.46, Subdivisions 1 and 2.

Referred to the Committee on Public Employees and Pensions.

Mr. Engler introduced—

S.F. No. 2106: A bill for an act relating to housing and redevelopment; providing for the appointment of commissioners of multi-county authorities; amending Minnesota Statutes 1980, Section 462.428, Subdivision 2.

Referred to the Committee on Energy and Housing.

Mr. Davis introduced—

S.F. No. 2107: A bill for an act relating to education; establishing a minimum number of hours within six years for an adult farm management pro-

gram; authorizing additional instructional hours if the individual pays the cost of the instruction; amending Minnesota Statutes 1980, Section 124.572, by adding a subdivision; repealing Minnesota Statutes 1980, Section 124.572, Subdivision 9.

Referred to the Committee on Education.

Messrs. Ramstad, Pillsbury and Schmitz introduced—

S.F. No. 2108: A bill for an act relating to taxation; changing the distribution of cigarette and tobacco tax revenues; amending Minnesota Statutes 1980, Section 297.13, Subdivision 1.

Referred to the Committee on Agriculture and Natural Resources.

Mr. Willet introduced—

S.F. No. 2109: A bill for an act relating to real estate; directing a conveyance of the state's right, title and interest in certain lands to Beltrami County.

Referred to the Committee on Agriculture and Natural Resources.

Mr. Dicklich introduced—

S.F. No. 2110: A bill for an act relating to public welfare; establishing standards for disregarding certain income and assets in the case of totally disabled persons for purposes of receiving medical assistance; amending Minnesota Statutes 1980, Section 256B.06, by adding a subdivision.

Referred to the Committee on Health, Welfare and Corrections.

Mr. Hanson introduced—

S.F. No. 2111: A bill for an act relating to real estate; directing a conveyance of the state's right, title and interest in certain lands to Lake of the Woods County.

Referred to the Committee on Agriculture and Natural Resources.

Messrs. Hanson and Sieloff introduced—

S.F. No. 2112: A bill for an act relating to taxation; adopting certain retroactive changes in federal estate tax law; amending Laws 1981, Third Special Session Chapter 2, Article VI, Section 8.

Referred to the Committee on Taxes and Tax Laws.

Ms. Berglin and Mr. Spear introduced—

S.F. No. 2113: A bill for an act relating to public welfare; providing for the establishment of a state foster care advisory council and local review boards under the jurisdiction of juvenile judges; prescribing conditions of membership and duties of board members; requiring agency cooperation; providing for the adoption of supreme court rules; setting limitations; appropriating money; proposing new law coded in Minnesota Statutes, Chapter 260.

Referred to the Committee on Health, Welfare and Corrections.

Mr. Menning introduced—

S.F. No. 2114: A bill for an act relating to highway traffic regulations; prescribing minimum mandatory terms in jail and other sanctions for driving while under the influence of alcohol; requiring permanent revocation of a driver's license, permit or nonresident driving privilege upon a second refusal to submit to chemical testing; authorizing limited licenses for drivers whose licenses have been revoked under the implied consent law only for travel to work; amending Minnesota Statutes 1980, Sections 169.121, by adding subdivisions; 169.123, Subdivisions 2, 4, and 9; and 169.129; Minnesota Statutes 1981 Supplement, Section 169.121, Subdivision 5; proposing new law coded in Minnesota Statutes, Chapter 169; repealing Minnesota Statutes 1980, Section 169.121, Subdivisions 3 and 4.

Referred to the Committee on Judiciary.

Ms. Berglin and Mr. Spear introduced—

S.F. No. 2115: A bill for an act relating to government operations; creating the Minnesota loan guarantee agency; authorizing guarantees of mortgage-backed securities and of other securities backed by eligible loans; prescribing agency functions and duties; authorizing the issuance of capital certificates; appropriating money; proposing new law coded as Minnesota Statutes, Chapter 462D.

Referred to the Committee on Governmental Operations.

Messrs. Bertram, Menning, Schmitz, Mrs. Brataas and Mr. Benson introduced—

S.F. No. 2116: A bill for an act relating to crimes; providing mandatory minimum sentences for certain acts of criminal sexual conduct; amending Minnesota Statutes 1981 Supplement, Section 609.11, Subdivision 9; proposing new law coded in Minnesota Statutes, Chapter 609.

Referred to the Committee on Judiciary.

Messrs. Moe, D.M.; Spear; Stumpf and Knoll introduced—

S.F. No. 2117: A bill for an act relating to local government; providing for the economic development of University Avenue in the cities of Minneapolis and St. Paul; creating an authority to develop and implement transit, housing, and economic development projects; authorizing bonding; providing for a tax levy, special assessments, and eminent domain; appropriating money.

Referred to the Committee on Local Government and Urban Affairs.

Mrs. Kronebusch and Mr. Waldorf introduced—

S.F. No. 2118: A bill for an act relating to real property; providing that certain contracts and purchase agreements for the conveyance of homestead property are voidable within a specified time; proposing new law coded in Minnesota Statutes, Chapter 507.

Referred to the Committee on Judiciary.

Mrs. Brataas and Mr. Frederick introduced—

S.F. No. 2119: A bill for an act relating to state lands; providing for the conveyance of a certain building and lands of Rochester state hospital to a nonprofit corporation.

Referred to the Committee on Agriculture and Natural Resources.

Mmes. Brataas, Kronebusch, Messrs. Nelson and Spear introduced—

S.F. No. 2120: A bill for an act relating to public welfare; clarifying the scope of coverage of the severance plan for employees stationed at the Rochester state hospital; amending Laws 1981, Chapter 360, Article I, Section 2, Subdivision 5.

Referred to the Committee on Public Employees and Pensions.

Mrs. Brataas, Messrs. Frederick and Wegener introduced—

S.F. No. 2121: A bill for an act relating to Olmsted County; allowing the county recorder to extend credit for the payment of charges.

Referred to the Committee on Local Government and Urban Affairs.

Mr. Belanger introduced—

S.F. No. 2122: A bill for an act relating to state finances; appropriating money for expenses incidental to a land exchange; providing for the exchange of certain land in Hennepin County on certain conditions.

Referred to the Committee on Agriculture and Natural Resources.

Mr. Solon introduced—

S.F. No. 2123: A bill for an act relating to the city of Duluth; authorizing the sale of bonds to finance the purchase of certain equipment without an election.

Referred to the Committee on Local Government and Urban Affairs.

Mr. Hanson introduced—

S.F. No. 2124: A bill for an act relating to unemployment compensation; creating an acute local unemployment benefits program; establishing eligibility for benefits; imposing duties upon the commissioner of economic security; proposing new law coded in Minnesota Statutes, Chapter 268.

Referred to the Committee on Employment.

Messrs. Davies, Tennessen, Dahl and Peterson, R. W. introduced—

S.F. No. 2125: A bill for an act relating to real property; providing that covenants, conditions, restrictions or extensions thereof annexed to a grant, devise or conveyance of land that are or become nominal shall not operate as a basis of forfeiture; removing a time limitation on the duration of covenants, conditions and restrictions; amending Minnesota Statutes 1980, Section 500.20, Subdivision 1; repealing Minnesota Statutes 1980, Section 500.20, Subdivision 2.

Referred to the Committee on Judiciary.

Messrs. Moe, R.D. and Peterson, C.C. introduced—

S.F. No. 2126: A bill for an act relating to the attorney general; establishing a division of land title litigation in the office of the attorney general; proposing new law coded in Minnesota Statutes, Chapter 8.

Referred to the Committee on Governmental Operations.

MOTIONS AND RESOLUTIONS - CONTINUED

Mr. Moe, R.D. moved that the Senate do now adjourn until 10:00 a.m., Friday, February 19, 1982. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate