

EIGHTIETH DAY

St. Paul, Minnesota, Wednesday, March 3, 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. Peter Wyckoff.

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

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

The President declared a quorum present.

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

MEMBERS EXCUSED

Messrs. Hughes and Keefe were excused from the Session of today.

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. 2174 and 1107.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 2, 1982

Mr. President:

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

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

Senate File No. 1510 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 2, 1982

Mr. Moe, R.D. moved that S.F. No. 1510 be laid on the table. The motion prevailed.

Mr. President:

I have the honor to announce the passage by the House of the following House Files, herewith transmitted: H.F. Nos. 1663, 1720, 1735, 1804, 716, 1698, 1850, 1915, 1234, 1469, 1492, 1907; 773, 1220, 1803, 1819, 2050 and 2098.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted March 2, 1982

FIRST READING OF HOUSE BILLS

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

H.F. No. 1663: A bill for an act relating to law libraries; recodifying the laws governing county law libraries; amending Minnesota Statutes 1980, Sections 140.34; 140.35; 140.36; 140.37; 140.38; 140.39; 140.40; 140.44; 140.45; 140.46; and 480.09, Subdivision 5; proposing new law coded in Minnesota Statutes 1980, Chapter 140; repealing Minnesota Statutes 1980, Sections 140.01 to 140.20; 140.212 to 140.33; 140.41 to 140.435; Minnesota Statutes 1981 Supplement, Section 140.21.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 1611.

H.F. No. 1720: A bill for an act relating to retirement; recognizing service covered by multiple retirement funds for entitlement to a disability benefit; proposing new law coded in Minnesota Statutes, Chapter 356.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 1568, now on General Orders.

H.F. No. 1735: A bill for an act relating to retirement; Hennepin county supplemental retirement program; providing for a phase out of the program; authorizing current participants to withdraw from the program; providing for an increased withdrawal benefit option in certain instances; amending Laws 1969, Chapter 950, Sections 1, 2, 3, as amended, 4, as amended, 5 and 6; repealing Laws 1969, Chapter 950, Section 8.

Referred to the Committee on Rules and Administration for comparison with

S.F. No. 1639, now on General Orders.

H.F. No. 1804: A bill for an act relating to partition fences; exempting certain lands from the provisions of chapter 344; proposing new law coded in Minnesota Statutes, Chapter 344.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 1819, now on General Orders.

H.F. No. 716: A bill for an act relating to insurance; regulating policies of automobile insurance providing comprehensive coverage; requiring an option to purchase full coverage of windshield glass damage; proposing new law coded in Minnesota Statutes, Chapter 65B.

Referred to the Committee on Commerce.

H.F. No. 1698: A bill for an act relating to public welfare; delaying the duty of the commissioner of administration to sell certain land and buildings; amending Laws 1981, Chapter 360, Article 1, Section 2, Subdivision 5.

Referred to the Committee on Finance.

H.F. No. 1850: A bill for an act relating to juveniles; providing that commission of certain offenses constitutes prima facie evidence in reference for prosecution cases; amending Minnesota Statutes 1981 Supplement, Section 260.125, Subdivision 3.

Referred to the Committee on Judiciary.

H.F. No. 1915: A bill for an act relating to local government; establishing a board to implement and administer a plan for a segment of the Minnesota river in Blue Earth, Brown, Le Sueur, Nicollet, Redwood and Renville counties.

Referred to the Committee on Agriculture and Natural Resources.

H.F. No. 1234: A bill for an act relating to employees and officials of the state; hospital and medical benefits for retired or disabled state officials and employees; amending Minnesota Statutes 1980, Section 471.61, Subdivision 2a.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 1274, now on General Orders.

H.F. No. 1469: A bill for an act relating to commerce; revising and modernizing laws relating to hotels; providing for the rights and duties of innkeepers and their guests; prohibiting certain practices; imposing penalties; amending Minnesota Statutes 1980, Section 363.03, by adding a subdivision; proposing new law coded in Minnesota Statutes, Chapter 327; repealing Minnesota Statutes 1980, Sections 327.01 to 327.095.

Referred to the Committee on Commerce.

H.F. No. 1492: A bill for an act relating to natural resources; authorizing an addition to Split Rock Creek Recreation Area and authorizing land acquisition in relation thereto.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 1418.

H.F. No. 1907: A bill for an act relating to public utilities; specifying the

appropriate treatment of certain advertising expenses; amending Minnesota Statutes 1980, Section 216B.16, Subdivision 8.

Referred to the Committee on Commerce.

H.F. No. 773: A bill for an act relating to marriage dissolution; adopting the revised uniform reciprocal enforcement of support act; proposing new law coded as Minnesota Statutes, Chapter 518C; repealing Minnesota Statutes 1980, Sections 518.41 to 518.53.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 648.

H.F. No. 1220: A bill for an act relating to unemployment compensation; clarifying that quitting work due to sexual harassment does not result in benefit disqualification; amending Minnesota Statutes 1980, Section 268.09, Subdivision 1.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 1579.

H.F. No. 1803: A bill for an act relating to juveniles; providing for termination of jurisdiction over juveniles; providing for the apprehension of juvenile absconders and escapees; amending Minnesota Statutes 1980, Sections 242.19; 260.181, Subdivision 4; and Minnesota Statutes 1981 Supplement, Sections 4.12, by adding subdivisions; and 242.44.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 1600.

H.F. No. 1819: A bill for an act relating to education; authorizing school districts to develop programs enabling secondary students to attend courses at post secondary institutions; proposing new law coded in Minnesota Statutes, Chapter 123.

Referred to the Committee on Education.

H.F. No. 2050: A bill for an act relating to crimes; establishing the crime of commercial bribery; prescribing penalties; proposing new law coded in Minnesota Statutes, Chapter 609.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 1755, now on General Orders.

H.F. No. 2098: A bill for an act relating to retirement; teachers retirement association; extending the time limit for the purchase of service credit for military service leaves of absence for certain veterans.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 1709, now on General Orders.

REPORTS OF COMMITTEES

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

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

H.F. No. 1579: A bill for an act relating to state lands; providing for the conveyance of certain land to the city of Brainerd.

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

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

S.F. No. 1487: A bill for an act relating to taxation; allowing the town of Rice Lake to levy in excess of its levy limitation for taxes payable in 1982.

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

Page 1, line 8, delete "*Subdivision 1. [LEVY INCREASE.]*"

Page 1, delete lines 16 to 24

Amend the title as follows:

Page 1, line 4, after "1982" insert "without penalty"

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

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

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

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

Page 1, line 13, after "2," insert "as amended by Laws 1981, Third Special Session Chapter 2, Article 3, Section 13,"

Page 2, line 5, delete "*athlete for that*" and insert "*athletic team employee*"

Page 2, delete lines 6 to 18 and insert "*shall be*"

Page 2, line 22, after the period, insert "*In order to eliminate the need to file state or provincial income tax returns in several states or provinces, Minnesota will exclude from income any income assigned to Minnesota under the provisions of this clause for a nonresident athlete who is employed by an athletic team whose operations are not based in this state if the state or province in which the athletic team is based provides a similar income exclusion. If the state or province in which the athletic team's operations are based does not have an income tax on an individual's personal service income, it will be deemed that that state or province has a similar income exclusion. As used in the preceding sentence, the term 'province' means a province of Canada.*"

Page 2, line 23, delete "*(iii)*" and insert "*(ii)*"

Page 2, line 25, delete "*or (ii) above*"

Page 3, line 35, after "(1)" insert ", nor shall it apply to income from the operation of a farm which is subject to the provisions of clause (2)"

Page 4, after line 3, insert:

"If the trade or business carried on wholly or partly in Minnesota is part of a unitary business, the entire income of that unitary business shall be subject to apportionment under section 290.19. The term "unitary business" shall mean a number of business activities or operations which are of mutual benefit, dependent upon, or contributory to one another, individually or as a group. Unity shall be presumed whenever there is unity of ownership, operation, and use, evidenced by centralized management or executive force, centralized purchasing, advertising, accounting, or other controlled interaction. Unity of ownership will not be deemed to exist unless the corporation owns more than 50 percent of the voting stock of the other corporation.

The entire income of a unitary business, including all income from each activity, operation or division, shall be subject to apportionment as provided in section 290.19. None of the income of a unitary business shall be considered as derived from any particular source and none shall be allocated to any particular place except as provided by the applicable apportionment formula."

Page 7, line 5, after "conducted" insert ", which method shall be used for athletic teams, provided that any receipts from any radio or television contract shall not be apportionable and shall be assigned to the state in which the team's operation is based"

Page 7, line 5, delete "or"

Page 7, delete lines 6 to 8

Page 7, line 36, delete "or" and insert a comma

Page 7, line 36, after "performers" insert "or athletes"

Page 8, line 1, after "entertainment" insert "or athletic"

Page 8, line 3, delete "or" and insert a comma

Page 8, line 3, after "performers" insert "or athletes"

Page 8, line 7, after the period, insert "The individual, and not the corporation, shall be subject to the Minnesota income tax as provided in this chapter on the compensation for personal services."

Amend the title as follows:

Page 1, line 9, after "2" insert ", as amended"

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

H.F. No. 1602: A bill for an act relating to counties; providing for meetings of the county board of commissioners; amending Minnesota Statutes 1980, Section 375.07.

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

Page 1, after line 20, insert:

"Sec. 2. Minnesota Statutes 1980, Section 375.13, is amended to read:

375.13 [CHAIRMAN.]

The county board, at its first session in each year, shall elect from its members a chairman and a vice-chairman. The chairman shall preside at its meetings and sign all documents requiring signature on its behalf and his signature as chairman, attested by the ~~county auditor~~ *clerk of the county board*, shall be binding as the signature of such board. In case of the absence or incapacity of the chairman, the vice-chairman shall perform his duties. If the chairman or vice-chairman are absent from any meeting, all documents requiring the signature of the board shall be signed by a majority thereof and likewise attested."

Amend the title as follows:

Page 1, line 4, delete "Section" and insert "Sections" and before the period, insert "; and 375.13"

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

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

H.F. No. 1430: A bill for an act relating to the city of Hibbing; fixing the amount of the mayor's contingent fund; amending Laws 1939, Chapter 329, Section 1.

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

Page 1, line 15, strike "such"

Page 1, line 16, strike "he" and insert "*the mayor*"

Page 1, line 19, strike "such" and strike "purpose" and insert "*purposes*"

Page 1, line 20, strike everything before the period

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. 1610: A bill for an act relating to taxation; providing for withholding of income tax refunds from child support debtors; amending Minnesota Statutes 1980, Section 290.50, by adding a subdivision.

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

Page 1, line 12, before "A" insert "*Upon a finding by a court of this state that*" and delete "*and found by a*"

Page 1, line 13, delete "*court of this state to be*" and insert "*is*" and delete "*shall*"

Page 1, line 14, delete "*have*" and insert a comma and after "*owing*" insert

"shall be."

Page 1, line 20, after the period, insert *"The person from whom the refund may be withheld shall be notified of the petition pursuant to the rules of civil procedure prior to the issuance of an order pursuant to this subdivision."*

Page 2, line 3, after "agency" insert *"or the petitioning parent or guardian"*

Page 2, line 5, after "supported" insert *"or the amount of any support that had been the subject of the claim pursuant to this subdivision which has been paid by the taxpayer prior to the diversion of the refund,"*

Page 2, line 6, after the period, insert *"If the refund is based on a joint or combined return, the portion of the refund that shall be remitted to the petitioner shall be the proportion of the total refund that equals the proportion of the total federal adjusted gross income of the spouses that is the federal adjusted gross income of the spouse who is delinquent in making the child support payments. A petition filed pursuant to this subdivision shall be in effect with respect to any refunds due under this section during a period of one year from the date when the petition was filed. If a petition is filed pursuant to this subdivision and a claim is made pursuant to chapter 270A with respect to the same individual's refund and notices of both are received prior to the time when payment of the refund is made on either claim, the commissioner shall transmit the claims to the court that issued the order under this subdivision. The court shall order that the claim relating to the liability that accrued first in time shall be paid first; any amount of the refund remaining shall then be applied to the other claim. The provisions of section 290.61 shall not prohibit the exchange of information among the department, the petitioner, and the court to the extent necessary to accomplish the intent of this subdivision. Not later than five days after the court has notified the department of its withholding order, the department shall send a written notification of the order to the person to whom the refund would otherwise be paid."*

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

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

H.F. No. 1589: A bill for an act relating to motor vehicles; authorizing the operation of motorized golf carts by certain persons on designated roadways of city streets; regulating the operation thereof; amending Minnesota Statutes 1980, Sections 168.012, by adding a subdivision; 169.522; and proposing new law coded in Minnesota Statutes, Chapter 169.

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

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

H.F. No. 1185: A bill for an act relating to highways; modifying restrictions on the loading of vehicles driven on the highways; amending Minnesota Statutes 1980, Section 169.81, Subdivision 5.

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

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

referred

S.F. No. 1993: A bill for an act relating to taxation; requiring registration of certain rental housing; limiting certain income tax deductions; amending Minnesota Statutes 1981 Supplement, Section 290.01, Subdivision 20, as amended; proposing new law coded in Minnesota Statutes, Chapter 290.

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

Page 12, after line 33, insert:

"Sec. 2. Minnesota Statutes 1981 Supplement, Section 290.09, Subdivision 1, is amended to read:

Subdivision 1. [LIMITATIONS.] (a) The following deductions from gross income shall be allowed in computing net income, provided that any item which was deducted in arriving at gross income under the provisions of section 290.01, subdivision 20, shall not be again deducted under this section.

(b) Property taxes may not be deducted under this section if

(1) The taxes are attributable to a trade or business carried on by an individual, or

(2) The taxes are expenses for the production of income which are paid or incurred by an individual; and which are not allowed as a deduction under section 164 of the Internal Revenue Code of 1954, as amended through December 31, 1980.

(c) *Interest and depreciation attributable to rental residential property may not be deducted under this section if the property does not comply with the requirements of section 2.*"

Page 12, line 34, delete "[290.102]" and before "REGISTRATION" insert "CITY OF MINNEAPOLIS;"

Page 13, line 1, delete "A municipality" and insert "The governing body of the city of Minneapolis"

Page 13, line 3, after the period, insert "If a registration ordinance is adopted,"

Page 13, line 5, delete "a municipality which requires registration"

Page 13, line 6, delete "pursuant to this section" and insert "Minneapolis"

Page 13, line 8, after "until" insert "a certified copy of the"

Page 13, line 9, after "filed" insert "annually"

Page 13, line 10, after the period, insert "No deduction shall be allowed for any period during which the property is not registered as required by the ordinance. In the event the period of non-compliance does not cover an entire taxable year, the deductions shall be denied at the rate of one-twelfth for each full month the property is not in compliance. The amount of the deduction denied shall not exceed the lesser of \$200 for each unregistered rental residential unit or \$2,000 for each building for any taxable year; provided that in no event shall the amount of the deduction denied be less than one twelfth of the sum of the deductions for interest and depreciation with respect to the prop-

erty.”

Page 13, lines 10, 19, 27 and 28, delete “municipality” and insert “city”

Page 13, line 12, delete “may” and insert “shall”

Page 13, line 14, delete “list”

Page 13, delete lines 15 and 16 and insert “notice of the restriction established in this section. If the deduction has been disallowed because of a negligent failure to file a copy of the certificate by a taxpayer who had filed a copy for a prior year, the taxpayer may file an amended return with a copy of the certificate and the deduction shall be allowed and the tax liability adjusted accordingly. Notice to taxpayers of the requirement for registration of rental housing property shall be included in the property tax statement for property located in a municipality which has enacted an ordinance under this section.”

Page 13, line 17, after “ordinance” insert “adopted”

Page 13, delete line 23 and insert “, except that property transferred or sold within or subsequent to that period, whether the sale is by warranty deed, quit-claim deed, contract for deed or any other method of sale”

Page 13, line 24, delete “property” and delete “60” and insert “20”

Page 13, line 26, after “valid” insert “for an owner”

Page 13, line 30, delete “A municipality which has adopted”

Page 13, line 31, delete “an ordinance under this section” and insert “The city”

Page 13, line 36, delete “(3)” and insert “(C)”

Page 14, line 1, delete “and” and after “registration” insert “; and (e) the date of the most recent purchase or transfer of the property”

Page 14, after line 1, insert:

“Sec. 4. [APPLICABILITY.]

On its effective date this act shall apply to the city of Minneapolis.”

Renumber the sections in sequence.

Amend the title as follows:

Page 1, line 2, delete “requiring” and insert “permitting the city of Minneapolis to require”

Page 1, line 5, delete “Section” and insert “Sections” and after the semicolon, insert “and 290.09, Subdivision 1.”

Page 1, delete lines 6 and 7

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

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

S.F. No. 2155: A bill for an act relating to the city of Minneapolis; establishing uniformity in liquor licensing provisions applicable to nonprofit corporations within the city; amending Laws 1975, Chapter 305, Section 1.

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

follows:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1980, Section 340.11, Subdivision 11b, is amended to read:

Subd. 11b. [ON-SALE LICENSES TO CERTAIN NONPROFIT CORPORATIONS.] "On-sale" licenses for the sale of intoxicating liquor may, in the discretion of the municipality, be issued in ~~any~~ a city of the first class to ~~any~~ a nonprofit corporation which was organized prior to January 1, 1972 to promote, stimulate, and support community education, appreciation and development of the theater and cultural arts through dramatic performances and other means and which has operated a repertory theater in the city since at least January 1, 1972. ~~Such~~ The licenses may be issued notwithstanding any limitations imposed by law, charter or ordinance relating to liquor patrol limits, zoning, or school or church distance limitations ~~and such~~. The licenses shall be in excess of any limitations imposed by subdivision 6, ~~or otherwise 5a~~. The licenses shall authorize sales on all days of the week. All other laws, charter provisions, or ordinances relating to the licensing and regulation of on-sale liquor establishments, including the granting, renewal, suspension or revocation of licenses shall apply. ~~Any~~ A license issued pursuant to this subdivision shall authorize the sale of intoxicating liquor only to holders of tickets to dramatic performances presented by ~~such~~ the nonprofit corporation and members of ~~such~~ the nonprofit corporation and their guests.

Sec. 2. [EFFECTIVE DATE.]

Section 1 is effective the day after final enactment."

Delete the title and insert:

"A bill for an act relating to intoxicating liquor; providing that on-sale licenses issued to certain nonprofit corporations shall authorize sales on all days of the week; amending Minnesota Statutes 1980, Section 340.11, Subdivision 11b."

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

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

S.F. No. 2136: A bill for an act relating to insurance; increasing the percentage of the state comprehensive health plan premium that may be used to pay certain fees and expenses; amending Minnesota Statutes 1980, Section 62E.11, Subdivision 3.

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

Page 1, line 10, strike "87-1/2" and insert "85"

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

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

H.F. No. 623: A bill for an act relating to commerce; providing for an alternative method of meeting the organizational membership requirement for

the conducting of bingo occasions, operation of gambling devices, and conducting of raffles by organizations; amending Minnesota Statutes 1980, Sections 349.14; and 349.26, Subdivision 9.

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

Page 1, lines 14 and 25, strike "30" and insert "10"

Page 1, lines 15 and 16, delete the new language

Page 1, line 26, delete the new language

Page 2, line 1, delete the new language

Amend the title as follows:

Page 1, line 2, delete "providing for an alternative"

Page 1, line 3, delete "method of meeting" and insert "lowering"

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

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

S.F. No. 1979: A bill for an act relating to intoxicating liquor; veteran's organization licenses in first class cities; amending Minnesota Statutes 1980, Section 340.11, Subdivision 11.

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

Page 1, line 21, strike "Such a" and insert "The"

Page 1, lines 22 and 23, strike "shall" and insert "must"

Page 1, line 25, strike "such"

Page 2, line 22, strike "which" and insert "that"

Amend the title as follows:

Page 1, line 2, delete "veteran's" and insert "veterans"

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

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

H.F. No. 1751: A bill for an act relating to alcoholic beverages; increasing the maximum dollar value of equipment furnished to beer retailers by brewers and wholesalers; deleting obsolete language; amending Minnesota Statutes 1980, Sections 340.031, Subdivision 2; and 340.405.

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

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

H.F. No. 776: A bill for an act relating to insurance; requiring private passenger vehicle insurers to disclose surcharge plans; prohibiting payment of certain claims unless notice is given to the insured; proposing new law coded in Minnesota Statutes, Chapter 65B.

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

Page 1, line 13, delete "*Base*" and insert "*Computed*"

Page 1, line 13, delete the first "*rate*"

Page 2, line 14, delete "*base*" and insert "*computed*"

Page 2, line 14, after "*premium*" insert "*or otherwise applicable*"

Page 3, delete section 2

Amend the title as follows:

Page 1, delete line 4

Page 1, line 5, delete "given to the insured;"

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

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

H.F. No. 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.

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

Page 2, line 3, after "*and*" insert "*flue-connected*"

Page 2, line 11, delete "*13/100*" and insert "*4/100*"

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

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

S.F. No. 1411: A bill for an act relating to real estate brokers and salespersons; providing for a transfer of license upon the termination or resignation of a salesperson; requiring the issuance of a temporary license under certain circumstances; amending Minnesota Statutes 1980, Section 82.20, Subdivision 9.

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

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1980, Section 82.20, Subdivision 9, is amended to read:

Subd. 9. [TERMINATIONS; TRANSFERS.] (a) *Except as provided in paragraph (b), when a salesperson terminates his activity on behalf of a broker, the salesperson's license shall be ineffective. Within ten days of such the termination the broker shall notify the commissioner in writing thereof, and shall return to the commissioner the license of the salesperson. The salesperson may make application apply for transfer of the license to another broker at any time during the remainder of the license period, on forms by completing the form provided by the commissioner along with the fee prescribed by this*

~~chapter~~ and paying the transfer fee. If the application for transfer qualifies, the commissioner shall grant the application. Upon receipt of a transfer application and payment of the transfer fee, the commissioner may issue a 45 day permit provisionally granting such transfer. If an application for transfer is not made within the license period, the commissioner shall require that an application for a new license be filed.

(b) When a salesperson terminates his activity on behalf of a broker in order to begin association immediately with another broker, the commissioner shall permit the automatic transfer of the salesperson's license. The transfer shall be effective either upon the mailing of the required fee and the executed documents by certified mail or upon personal delivery of the fee and documents to the commissioner's office. The commissioner may adopt rules and prescribe forms as necessary to implement this paragraph."

Amend the title as follows:

Page 1, delete lines 3 to 5 and insert "providing for the automatic transfer of a salesperson's license under certain"

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

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

H.F. No. 1786: A bill for an act relating to agriculture; changing certain procedures relating to fertilizers and soil and plant amendments; imposing a penalty; amending Minnesota Statutes 1980, Sections 17.713, by adding a subdivision; 17.721, Subdivision 2; and 17.728, as amended; Minnesota Statutes 1981 Supplement, Sections 17.713, Subdivisions 8, 12, 17a, and 20; 17.714, Subdivision 2; 17.716, Subdivision 6; 17.719, Subdivision 1; and by adding a subdivision; 17.721, Subdivision 1; 17.725, Subdivision 1; and 17.726; proposing new law coded in Minnesota Statutes, Chapter 17.

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

Page 3, line 26, strike everything after "is"

Page 3, strike lines 27 and 28

Page 3, line 29, strike "those categories" and before the period, insert "exempt from all requirements of this chapter except the soil amendment labeling requirements of section 17.716 unless the sewage sludge meets the plant food content criteria for a commercial fertilizer in which case the sewage sludge will be considered a commercial fertilizer. A copy of the sewage sludge analysis required by the rules of the pollution control agency adopted under section 116.07, subdivision 4, is sufficient to meet the labeling requirements of section 17.716"

Page 4, line 23, delete "manufacturing" and insert "the manufacture"

Page 6, line 6, delete "in" and insert "for"

Page 6, line 7, delete "manufacturing" and insert "manufacture"

Page 8, line 21, delete "do"

Page 8, lines 23 and 24, delete "in the evasion or attempted evasion of" and

insert "to evade or attempt to evade"

Page 8, line 26, after "given" insert "an"

Page 9, line 5, delete "and prosecute"

Page 9, line 6, before "in" insert "and prosecution"

Page 9, after line 20, insert:

"Sec. 17. Minnesota Statutes 1981 Supplement, Section 116.07, Subdivision 4, is amended to read:

Subd. 4. [RULES AND STANDARDS.] Pursuant and subject to the provisions of chapter 15, and the provisions hereof, the pollution control agency may adopt, amend and rescind rules and standards having the force of law relating to any purpose within the provisions of Laws 1969, Chapter 1046, for the prevention, abatement, or control of air pollution. Any such rule or standard may be of general application throughout the state, or may be limited as to times, places, circumstances, or conditions in order to make due allowance for variations therein. Without limitation, rules or standards may relate to sources or emissions of air contamination or air pollution; to the quality or composition of such emissions, or to the quality of or composition of the ambient air or outdoor atmosphere or to any other matter relevant to the prevention, abatement, or control of air pollution.

Pursuant and subject to the provisions of chapter 15, and the provisions hereof, the pollution control agency may adopt, amend, and rescind rules and standards having the force of law relating to any purpose within the provisions of Laws 1969, Chapter 1046, for the collection, transportation, storage, processing, and disposal of solid waste and the prevention, abatement, or control of water, air, and land pollution which may be related thereto, and the deposit in or on land of any other material that may tend to cause pollution. The agency shall adopt such rules and standards for sewage sludge, addressing the intrinsic suitability of land, the volume and rate of application of sewage sludge of various degrees of intrinsic hazard, design of facilities, and operation of facilities and sites. The agency shall promulgate temporary rules for sewage sludge pursuant to section 15.0412, subdivision 5. Notwithstanding the provisions of section 15.0412, subdivision 5, the temporary rules shall be effective until permanent rules are promulgated or March 1, 1982, whichever is earlier. Any such rule or standard may be of general application throughout the state or may be limited as to times, places, circumstances, or conditions in order to make due allowance for variations therein. Without limitation, rules or standards may relate to collection, transportation, processing, disposal, equipment, location, procedures, methods, systems or techniques or to any other matter relevant to the prevention, abatement or control of water, air, and land pollution which may be advised through the control of collection, transportation, processing, and disposal of solid waste and sewage sludge, and the deposit in or on land of any other material that may tend to cause pollution. *By January 1, 1983, the rules for the management of sewage sludge shall include an analysis of the sewage sludge determined by the commissioner of agriculture to be necessary to meet the soil amendment labeling requirements of section 17.716.*

Pursuant and subject to the provisions of chapter 15, and the provisions hereof, the pollution control agency may adopt, amend and rescind rules and standards having the force of law relating to any purpose within the provisions

of Laws 1971, Chapter 727, for the prevention, abatement, or control of noise pollution. Any such rule or standard may be of general application throughout the state, or may be limited as to times, places, circumstances or conditions in order to make due allowances for variations therein. Without limitation, rules or standards may relate to sources or emissions of noise or noise pollution, to the quality or composition of noises in the natural environment, or to any other matter relevant to the prevention, abatement, or control of noise pollution.

As to any matters subject to this chapter, local units of government may set emission regulations with respect to stationary sources which are more stringent than those set by the pollution control agency.

Pursuant to chapter 15, the pollution control agency may adopt, amend, and rescind rules and standards having the force of law relating to any purpose within the provisions of this chapter for the management, identification, labeling, classification, storage, collection, treatment, transportation, processing, and disposal of hazardous waste and location of hazardous waste facilities. A rule or standard may be of general application throughout the state or may be limited as to time, places, circumstances, or conditions. The public utilities commission, in cooperation with the pollution control agency, shall set standards for the transportation of hazardous waste in accordance with chapter 221. In implementing its hazardous waste rules, the pollution control agency shall give high priority to providing planning and technical assistance to hazardous waste generators. The agency shall assist generators in investigating the availability and feasibility of both interim and long term hazardous waste management methods. The methods shall include waste reduction, waste separation, waste processing, resource recovery, and temporary storage.

The pollution control agency shall give highest priority in the consideration of permits to authorize disposal of diseased shade trees by open burning at designated sites to evidence concerning economic costs of transportation and disposal of diseased shade trees by alternative methods."

Amend the title as follows:

Page 1, line 3, after the semicolon, insert "requiring adoption of rules concerning analysis of sewage sludge;"

Page 1, line 11, delete "and" and before "proposing" insert "and 116.07, Subdivision 4;"

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

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

H.F. No. 1635: A bill for an act relating to state lands; authorizing sale and conveyance of a certain tract of state lands to Bethlehem Lutheran Church of Waskish, Minnesota.

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

Page 1, line 23, delete "*the property shall*"

Page 1, line 24, delete "*revert to the state*" and insert a comma

Page 1, line 24, delete "*it*" and insert "*the property*"

Page 1, line 25, after "purposes," insert "the state shall have an option for 180 days after notice to repurchase the property"

Page 1, line 25, delete "repayment" and insert "payment"

Page 1, line 25, delete "purchase"

Page 1, line 25, after "price" insert "paid by the church"

Page 1, after line 25, insert:

"Sec. 2. [RELEASE OF STATE INTERESTS IN CERTAIN PROPERTY IN McLEOD COUNTY.]

Notwithstanding the provisions of Minnesota Statutes, Section 92.45, or any other law to the contrary, the commissioner of natural resources shall release and quitclaim to the city of Hutchinson, Minnesota, in a form approved by the attorney general, for a consideration of \$1,800, all right, title, and interest of the state acquired by eminent domain proceedings in McLeod County, as set forth in the Final Certificate approved by the McLeod County District Court on August 1, 1931, in regard to the following described property:

Parcel 1

Lot 1 of Block 2 of the Townsite of Hutchinson, South Half, according to the plat thereof on file or of record in the registry of deeds for said county.

Parcel 2

That part of the public street in the City of Hutchinson lying between Block 2 and Block 3 of said Townsite of Hutchinson, South Half, and between the Northeasterly bank of the Crow River and the south line of Washington Avenue.

Parcel 3

Lots numbered 1, 2, and 3 of Block 3, of said Townsite of Hutchinson, South Half.

Parcel 4

Lot 1 of Block 3 of said Townsite of Hutchinson, South Half.

Parcel 5

That part of the public street in the said City of Hutchinson known as Washington Avenue lying between Block 3 of said townsite, South Half, and Blocks 17 and 18 of said townsite, North Half, and between the Northeasterly bank of said Crow River and the south line of the public street in said city known as Fourth Avenue North.

Parcel 6

That part of Block 17 of the Townsite of Hutchinson, North Half, according to the plat thereof on file or of record in the Registry of Deeds for said county, lying south of the right of way of the Minnesota Western Railroad Company.

Parcel 7

That part of the public street in the City of Hutchinson known as High Street lying between Block 17 and Block 18 of said Townsite of Hutchinson, North Half, and between the north line of the public street in said city known as

Washington Avenue and the south line of the right of way of the Minnesota Western Railroad Company.

Parcel 8

That part of Block 18 of said Townsite of Hutchinson, North Half, lying south of the right of way of the Minnesota Western Railroad Company.

Parcel 9

That part of the public street in the City of Hutchinson lying between Block 18 and Block 19 of said Townsite of Hutchinson, North Half, and between the northeasterly bank of said Crow River and the southwesterly line of the right of way of the Minnesota Western Railroad Company.

Parcel 10

That part of Block 19 of said Townsite of Hutchinson, North Half, lying south of the right of way of the Minnesota Western Railroad Company.

Parcel 11

That part of the public street in the City of Hutchinson known as Prospect Street lying between Block 19 and Block 20 of said Townsite of Hutchinson, North Half, and between the northeasterly bank of the Crow River and the southwesterly line of the right of way of the Minnesota Western Railroad Company.

Parcel 12

The parts of Lots numbered 1, 2, 3, 4, and 5, of Block 20, of said Townsite of Hutchinson, North Half, lying south of the right of way of the Minnesota Western Railroad Company.

Parcel 13

The South 1 rod of Lot 7, and all of Lots 8 and 9 of Block 20, of said Townsite of Hutchinson, North Half.

Parcel 14

The East Half of that part of the public street in the City of Hutchinson known as Main Street abutting on the lands described as Parcel 13, and the West Half of said street abutting on all of Block 30 of said townsite, except the North 41.2 feet thereof.

Parcel 15

All of Block 30 of said Townsite of Hutchinson, North Half, except the portion thereof bounded by a line beginning at the northeast corner of said Block 30, as marked by a steel shaft 1-1/8 inches by 30 inches; thence South along the East line of said Block 30, 41.2 feet; thence North 89 degrees and 50 minutes West 22.95 feet to the northwest corner of an artesian well curbing; thence South 1 degree and 48 minutes West 43.2 feet; thence South 89 degrees and 48 minutes West along the south line of the main Mill building situated on said Block 30, 78.55 feet to a point 6 feet West of the southwest corner of the said main Mill building; thence North no degrees and 3 minutes West 20.9 feet; thence South 89 degrees and 42 minutes West 18 feet; thence North no degrees and 22 minutes West 36.3 feet; thence North 88 degrees and 22 minutes West 27.1 feet; thence North 27.3 feet to the North line of said Block 30; thence

South 89 degrees and 46 minutes East along the north line of said Block 30, 148.4 feet to point of beginning, and subject to the rights heretofore reserved by Thomas Moran and Theresa Moran, his wife, their heirs and assigns, to the exclusive use and occupancy of the coal shed situated on said premises for a period of ten years from and after August 20, 1925, and to maintain a water connection to said Mill building with the artesian well on said lands through a three-fourths inch iron pipe, the same to be wholly kept up and maintained by said Thomas Moran and Theresa Moran, their heirs and assigns, but including the water power site, together with the certain dam across the Crow River located in part thereon, the right to maintain said dam at its present height, and all water and flowage rights thereunto appertaining.

Sec. 3. [LAND CONVEYANCE; SAUK CENTRE.]

In order to conform the legal description of state owned lands to the lands as occupied, the commissioner of administration upon the recommendation of the commissioner of corrections, may convey to Sophie Pettit by quitclaim deed in a form approved by the attorney general, for a consideration of \$100, a parcel of state owned land comprising approximately .07 acre located and being a part of the Minnesota correctional facility at Sauk Centre. The commissioner of administration shall prepare a legal description of the land to be conveyed."

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 4, before the period, insert "; directing the conveyance of the state's interest in certain real property in McLeod County to the city of Hutchinson; authorizing the conveyance of certain lands at the Sauk Centre correctional facility"

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

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

S.F. No. 1577: A bill for an act relating to game and fish; authorizing special permits to take deer with a crossbow under certain circumstances; amending Minnesota Statutes 1980, Sections 98.48, by adding a subdivision; and 100.29, Subdivision 7.

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

Page 1, line 13, delete "holders of current licenses" and insert "any holder of a current license"

Page 1, line 14, delete "are established" and insert "establishes"

Page 1, line 15, delete ", to be" and insert "that the license holder is"

Page 1, line 15, delete "operate a"

Page 1, line 16, delete "manually pulled bow" and insert "hunt in any other manner"

Page 1, line 17, delete "Crossbows" and insert "A crossbow"

Page 1, line 18, delete "shall meet all of the following specifications" and

insert "must"

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

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

H.F. No. 685: A bill for an act relating to crimes; providing photographic records of evidence shall be admissible as evidence; providing for the return of stolen property; proposing new law coded in Minnesota Statutes, Chapter 609.

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

Delete everything after the enacting clause and insert:

"Section 1. [609.523] [RETURN OF STOLEN PROPERTY TO OWNERS.]

Subdivision 1. [PHOTOGRAPHIC RECORD.] Photographs of property, as defined in section 609.52, subdivision 1, over which a person is alleged to have exerted unauthorized control or to have otherwise obtained unlawfully, are competent evidence if the photographs are admissible into evidence under all rules of law governing the admissibility of photographs into evidence. The photographic record, when satisfactorily identified, is as admissible in evidence as the property itself.

Subd. 2. [RECORD OF PROPERTY.] The photographs may bear a written description of the property alleged to have been wrongfully taken, the name of the owner of the property taken, the name of the accused, the name of the arresting law enforcement officer, the date of the photograph, and the signature of the photographer.

Subd. 3. [RETURN OF PROPERTY.] Upon approval of the prosecuting attorney and, if the charge is a felony, with seven days notice to the defendant, a law enforcement agency which is holding property over which a person is alleged to have exerted unauthorized control or to have otherwise obtained unlawfully may return that property to its owner if:

(a) The appropriately identified photographs are filed and retained by the law enforcement agency;

(b) Satisfactory proof of ownership of the property is shown by the owner;

(c) A declaration of ownership is signed under penalty of perjury; and

(d) A receipt for the property is obtained from the owner upon delivery by the law enforcement agency."

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

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

H.F. No. 1546: A bill for an act relating to juveniles; providing for the detention of juveniles for whom a motion to refer for prosecution is pending before the court; amending Minnesota Statutes 1980, Section 260.173, Subdivision 4.

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

Page 2, line 16, before "for" insert "to refer"

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. 1834: A bill for an act relating to human rights; including sexual harassment as a form of unfair discriminatory practices for certain purposes; amending Minnesota Statutes 1980, Section 363.01, Subdivision 10, and by adding a subdivision.

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

Page 2, line 7, after "*environment*" insert "*; and in the case of employment, the employer knows or should know of the existence of the harassment and fails to take timely and appropriate action*"

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. 1707: A bill for an act relating to crimes; expanding criminal responsibility of certain recipients of stolen property; modifying penalties for receiving stolen property; expanding definition of "burglary"; amending Minnesota Statutes 1980, Sections 609.53, Subdivisions 1 and 3; and 609.58, Subdivision 2; Minnesota Statutes 1981 Supplement, Section 609.53, Subdivisions 1a and 4; repealing Minnesota Statutes 1980, Section 609.53, Subdivision 2; and Minnesota Statutes 1981 Supplement, Section 609.53, Subdivision 2a.

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

Page 1, line 16, after "1." insert "[PENALTY.]"

Page 1, line 23, reinstate "ten" and delete "20"

Page 1, line 24, reinstate "\$10,000" and delete "\$20,000"

Page 1, line 28, delete "ten" and insert "five"

Page 1, line 28, delete "\$10,000" and insert "\$5,000"

Page 2, line 7, after "1a." insert "[PENALTY.]"

Page 2, line 16, reinstate "ten" and delete "20"

Page 2, line 20, delete "ten" and insert "five"

Page 2, line 27, after "3." insert "[SUBSEQUENT OFFENSE.]"

Page 2, delete line 31

Page 3, line 3, after "4." insert "[CIVIL ACTION; TREBLE DAMAGES.]"

Page 3, lines 14, 17, 24, 29, and 33, strike "therein" and insert "in it"

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

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

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

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

follows:

Delete everything after the enacting clause and insert:

"Section 1. [216B.166] [ELECTRIC COOPERATIVE SHAREHOLDER RIGHTS.]

Subdivision 1. [SCOPE.] Cooperative associations organized under chapter 308 for the purpose of providing rural electrification at retail to ultimate consumers shall comply with the provisions of this section in addition to other applicable provisions of chapter 308 and other applicable state and federal laws.

Subd. 2. [ROLL CALL VOTES; BUSINESS RECORDS.] The provisions of section 302A.461 shall apply to every wholesale or retail cooperative electric association. The rights granted to wholesale and retail electric cooperative stockholders in this section shall apply also to the spouse of the stockholder. In addition to the requirements of section 302A.461, a wholesale or retail electric cooperative shall maintain records of all proceedings of meetings of stockholders and directors during the previous three year period including the vote of each director on roll call votes. Roll call votes are required on actions establishing service charge and rate schedules. Roll call voting shall also be required on any matter upon the request of one or more directors. Every duly elected director of a retail cooperative electric association shall have the right to inspect pursuant to section 302A.461 in person and at any reasonable time the business records required by this subdivision that are maintained by the wholesale cooperative electric association from which it purchases the majority of its electric requirements."

Amend the title as follows:

Page 1, line 2, delete "for rights of" and insert "access to cooperative electric associations;"

Page 1, delete line 3

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

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

H.F. No. 1068: A bill for an act relating to adoption; providing for record retention; providing for services by adoption agencies; proposing new law coded in Minnesota Statutes, Chapter 259.

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

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1980, Section 144.1761, Subdivision 1, is amended to read:

Subdivision 1. [REQUEST.] Whenever an adopted person who is 24 years of age or over may request requests the state registrar to disclose the information on the adopted person's original birth certificate, the state registrar shall, within five days of receipt of the request, notify the commissioner of public welfare in writing of the request by the adopted person act in accordance with the provisions of section 5.

Sec. 2. [259.46] [ADOPTION RECORDS.]

Subdivision 1. [CONTENT.] The adoption records of the commissioner, his

agents and licensed child placing agencies shall contain copies of all relevant legal documents, responsibly collected genetic, medical and social history of the child and his genetic parents, the child's placement record, copies of all pertinent agreements, contracts, and correspondence relevant to the adoption, and copies of all reports and recommendations made to the court. Identifying information contained in the adoption record shall be confidential and shall be disclosed only pursuant to section 259.31.

Subd. 2. [USE.] Each adoption record shall constitute the permanent record upon which court action is based and agency services are administered.

Subd. 3. [RETENTION.] All adoption records shall be retained on a permanent basis under a protected record system which ensures confidentiality and lasting preservation.

Sec. 3. [259.47] [POST-ADOPTION SERVICES.]

Subdivision 1. [SERVICES PROVIDED.] Agencies shall provide assistance and counseling services upon receiving a request for current information from adoptive parents, genetic parents, or adopted persons aged 19 years and over. The agency shall contact the other adult persons or the adoptive parents of a minor child in a personal and confidential manner to determine whether there is a desire to receive or share information or to have contact. If there is such a desire, the agency shall provide the services requested. The agency shall provide services to adult genetic siblings if there is no known violation of the confidentiality of a genetic parent or if the genetic parent gives written consent.

Subd. 2. [HEALTH INFORMATION.] When the agency receives information about a medical or genetic condition which has affected or may affect the physical or mental health of genetically related persons, the agency shall make a diligent effort to contact those persons in order to transmit the health information.

Subd. 3. [IDENTIFYING INFORMATION.] In agency adoptive placements made on and after August 1, 1982, the agency responsible for the placement shall obtain from the genetic parents named on the original birth certificate an affidavit attesting to the following:

(a) That the genetic parent has been informed of the right of the adopted person at the age specified in section 5 to request from the agency the name, last known address, birthdate and birthplace of the genetic parents named on the adopted person's original birth certificate;

(b) That each genetic parent may file in the agency record an affidavit objecting to the release of any or all of the information listed in clause (a) about that genetic parent, and only about himself, to the adopted person;

(c) That if the genetic parent does not file an affidavit objecting to release of information before the adopted person reaches the age specified in section 5, the agency will provide the adopted person with the information upon request;

(d) That notwithstanding the filing of an affidavit, the adopted person may petition the court pursuant to section 259.31 for release of identifying information about a genetic parent;

(e) That the genetic parent shall then have the opportunity to present evidence to the court that nondisclosure of identifying information is of greater benefit to the genetic parent than disclosure to the adopted person; and

(f) That any objection filed by the genetic parent shall become invalid when withdrawn by the genetic parent or when the genetic parent dies. Upon receipt

of a death certificate for the genetic parent, the agency shall release the identifying information to the adopted person if requested.

Subd. 4. [CONFIDENTIALITY.] Agencies shall provide adoptive parents, genetic parents and adult siblings, and adopted persons aged 19 years and over reasonable assistance in a manner consistent with state and federal laws, rules, and regulations regarding the confidentiality and privacy of child welfare and adoption records.

Subd. 5. [CHARGES.] Agencies may require a reasonable expense reimbursement for providing services required in this section.

Sec. 4. [259.48] [RULES.]

The commissioner of public welfare shall make rules as necessary to administer sections 2 and 3.

Sec. 5. [259.49] [ACCESS TO ADOPTION RECORDS.]

Subdivision 1. [REQUEST.] An adopted person who is 21 years of age or over may request the commissioner of health to disclose the information on the adopted person's original birth certificate. The commissioner of health shall, within five days of receipt of the request, notify the commissioner of public welfare in writing of the request by the adopted person.

Subd. 2. [SEARCH.] Within six months after receiving notice of the request of the adopted person, the commissioner of public welfare shall make complete and reasonable efforts to notify each parent identified on the original birth certificate of the adopted person. The commissioner may charge a reasonable fee to the adopted person for the cost of making a search pursuant to this subdivision. Every licensed child placing agency in the state shall cooperate with the commissioner of public welfare in his efforts to notify an identified parent. All communications under this subdivision are confidential pursuant to section 15.162, subdivision 2a.

For purposes of this subdivision, "notify" means a personal and confidential contact with the genetic parents named on the original birth certificate of the adopted person. The contact shall not be by mail and shall be by an employee or agent of the licensed child placing agency which processed the pertinent adoption or some other licensed child placing agency designated by the commissioner of public welfare. The contact shall be evidenced by filing with the commissioner of health an affidavit of notification executed by the person who notified each parent certifying that each parent was given the following information:

- (a) The nature of the information requested by the adopted person;*
- (b) The date of the request of the adopted person;*
- (c) The right of the parent to file, within 120 days of receipt of the notice, an affidavit with the commissioner of health stating that the information on the original birth certificate should not be disclosed;*
- (d) The right of the parent to file a consent to disclosure with the commissioner of health at any time; and*
- (e) The effect of a failure of the parent to file either a consent to disclosure or an affidavit stating that the information on the original birth certificate should not be disclosed.*

Subd. 3. [FAILURE TO NOTIFY PARENT.] If the commissioner of public welfare certifies to the commissioner of health that he has been unable to notify

a parent identified on the original birth certificate within six months, and if neither identified parent has at any time filed an unrevoked consent to disclosure with the commissioner of health, the information may be disclosed as follows:

(a) If the person was adopted prior to August 1, 1977, he may petition the appropriate court for disclosure of his original birth certificate pursuant to section 259.31, and the court shall grant the petition if, after consideration of the interests of all known persons involved, the court determines that disclosure of the information would be of greater benefit than nondisclosure.

(b) If the person was adopted on or after August 1, 1977, the commissioner of health shall release the requested information to the adopted person.

If either parent identified on the birth certificate has at any time filed with the commissioner of health an unrevoked affidavit stating that the information on the original birth certificate should not be disclosed, the commissioner of health shall not disclose the information to the adopted person until the affidavit is revoked by the filing of a consent to disclosure by that parent.

Subd. 4. [RELEASE OF INFORMATION AFTER NOTICE.] If, within six months, the commissioner of public welfare certifies to the commissioner of health that he has notified each parent identified on the original birth certificate pursuant to subdivision 2, the commissioner of health shall disclose the information requested by the adopted person 121 days after the date of the latest notice to either parent. This disclosure will occur if, at any time during the 121 days both of the parents identified on the original birth certificate have filed a consent to disclosure with the commissioner of health and neither consent to disclosure has been revoked by the subsequent filing by a parent of an affidavit stating that the information should not be disclosed.

Subd. 5. [DEATH OF PARENT.] Notwithstanding the provisions of subdivisions 3 and 4, if a parent named on the original birth certificate of an adopted person has died, and at any time prior to his death the parent has filed an unrevoked affidavit with the commissioner of health stating that the information on the original birth certificate should not be disclosed, the adopted person may petition the court of original jurisdiction of the adoption proceeding for disclosure of his original birth certificate pursuant to section 259.31. The court shall grant the petition if, after consideration of the interests of all known persons involved, the court determines that disclosure of the information would be of greater benefit than nondisclosure.

Sec. 6. [REPEALER.]

Minnesota Statutes 1980, Section 144.1761, Subdivisions 2, 3, 4, and 5, are repealed."

Amend the title as follows:

Page 1, line 3, after the semicolon, insert "recodifying law relating to access to adoption records into another chapter; amending Minnesota Statutes 1980, Section 144.1761, Subdivision 1;"

Page 1, line 4, before the period, insert "repealing Minnesota Statutes 1980, Section 144.1761, Subdivisions 2, 3, 4, and 5"

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 the following appointment as reported in the Journal for February 15, 1982:

MINNESOTA MUNICIPAL BOARD

Kenneth Sette

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

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

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

H.F. Nos. 1622 and 1336 for comparison with companion Senate Files, reports the following House Files were found not identical with their companion Senate Files 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.
1622	1535				
1336	1052				

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H.F. No. 1622 be amended as follows:

Page 1, delete lines 7 to 15, and insert:

"The commissioner of administration shall convey that parcel of land consisting of the tracts described in clauses (a), (b) and (c) to the Mankato State University Foundation Inc., for not less than 20 percent of the appraised value of the entire parcel as determined by the commissioner pursuant to Minnesota Statutes, Section 94.10, Subdivision 1. The sale may be made on the terms provided in Minnesota Statutes, Section 94.11. The tract shall be conveyed by instruments approved by the attorney general.

(a) That tract of land described as:"

Page 2, delete lines 24 to 36

Page 3, delete lines 1 to 33, and insert:

"(b) Subdivision 3.1. A tract of land situate in the North 60 acres of the SW 1/4 of Sec. 20-108-26, described as follows, to-wit: Beginning at the Northwest corner of the SW 1/4 of said Section; thence East on the East and West quarter line of said Section, 475 feet; thence South parallel with the West line of said Section, 205.85 feet; thence West parallel with said East and West quarter line, 293.6 feet; thence South 181.4 feet; thence West parallel with said quarter line, 181.4 feet to the West line of said Section 20; thence North on said line, 387.25 feet to the point of beginning, containing 3 acres, more or less.

(c) Subdivision 3.2. Beginning at a point 982 feet South of the East and West 1/4 line and 970.10 feet West of the North and South 1/4 line of Section 20, Township 108 North, Range 26 West; thence North 35 degrees, 7 minutes West

831.95 feet; thence South 36 degrees, 52 minutes West, 855.5 feet; thence East parallel with the East and West 1/4 line of said Section 991.84 feet to the point of beginning, containing 7.74 acres, more or less.

Sec. 2. [EFFECTIVE DATE.]

This act is effective the day following final enactment."

Amend the title as follows:

Page 1, line 3, after "ownership" delete everything before the period and insert "of certain state land to the Mankato State University Foundation"

And when so amended H.F. No. 1622 will be identical to S.F. No. 1535, and further recommends that H.F. No. 1622 be given its second reading and substituted for S.F. No. 1535, and that the Senate File be indefinitely postponed.

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H.F. No. 1336 be amended as follows:

Page 5, line 24, after "1982" insert a comma

Amend the title as follows:

Page 1, line 6, delete "and"

And when so amended H.F. No. 1336 will be identical to S.F. No. 1052, and further recommends that H.F. No. 1336 be given its second reading and substituted for S.F. No. 1052, 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. 1487, 1767, 1610, 1993, 2155, 2136, 1979, 1411, 1577, 1834 and 1707 were read the second time.

SECOND READING OF HOUSE BILLS

H.F. Nos. 1579, 1602, 1430, 1589, 1185, 623, 1751, 776, 1710, 1786, 1635, 685, 1546, 403, 1068, 1622 and 1336 were read the second time.

MOTIONS AND RESOLUTIONS

Mr. Davis moved that the name of Mr. Ramstad be added as a co-author to S.F. No. 1527. The motion prevailed.

Mr. Stern moved that his name be stricken as a co-author to S.F. No. 2059. The motion prevailed.

Mr. Tennesen moved that H.F. No. 2077 be withdrawn from the Committee on Commerce and re-referred to the Committee on Rules and Administration for comparison with S.F. No. 2136, now on General Orders. The motion prevailed.

Mr. Tennesen moved that H.F. No. 2134 be withdrawn from the Commit-

tee on Commerce and re-referred to the Committee on Rules and Administration for comparison with S.F. No. 2155, now on General Orders. The motion prevailed.

Mr. Merriam moved that H.F. No. 1915 be withdrawn from the Committee on Agriculture and Natural Resources and re-referred to the Committee on Rules and Administration for comparison with S.F. No. 1763. The motion prevailed.

CALENDAR

H.F. No. 1700: 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.

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

The question was taken on the passage of the bill.

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

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

H.F. No. 1725: 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.

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

The question was taken on the passage of the bill.

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

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

H.F. No. 1747: A bill for an act relating to the city of Minneapolis; providing for the security for certain rehabilitation loans; amending Laws 1977, Chapter 138, Section 2.

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 2; as follows:

Those who voted in the affirmative were:

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

Messrs. Davies and Merriam voted in the negative.

So the bill passed and its title was agreed to.

S.F. No. 1804: A bill for an act relating to local government; specifying the extent of the tax on aggregate materials; authorizing counties imposing a gravel tax under local law to elect to impose an aggregate material tax under general law; providing that Clay county may levy a gravel tax of up to ten cents per cubic yard; amending Minnesota Statutes 1980, Section 298.75, Subdivisions 5 and 6; Minnesota Statutes 1981 Supplement, Sections 298.75, Subdivisions 1 and 2; 298.76; and Laws 1961, Chapter 605, Section 1.

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

The question was taken on the passage of the bill.

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

Those who voted in the affirmative were:

Bang	Dicklich	Kronebusch	Pehler	Solon
Belanger	Dieterich	Langseth	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	Petty	Taylor
Bertram	Hanson	Menning	Pillsbury	Tennessee
Brataas	Johnson	Merriam	Purfeerst	Ulland
Chmielewski	Kamrath	Moe, D. M.	Ramstad	Vega
Dahl	Knoll	Moe, R. D.	Renneke	Waldorf
Davies	Knutson	Nelson	Setzepfandt	Willett
Davis	Kroening	Olhoft	Sikorski	

So the bill passed and its title was agreed to.

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.

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

The question was taken on the passage of the bill.

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

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

S.F. No. 1635: A bill for an act relating to education; modifying provisions governing school districts financial statements; amending Minnesota Statutes 1980, Section 121.908, Subdivision 3.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 62 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

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; authorizing the use of capital expenditure funds; 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.

Mr. Dieterich moved that S.F. No. 1698 be stricken from the Calendar and placed at the top of General Orders. The motion prevailed.

S.F. No. 1715: A bill for an act relating to the city of Minneapolis; provid-

ing duties of the civil service commission; providing for positions in the unclassified service; 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 1969, Chapter 937, Section 1, Subdivision 1, as amended, and by adding subdivisions; and Laws 1980, Chapter 595, Section 2, Subdivision 1 and Section 3, by adding a subdivision.

Mr. Lindgren moved that S.F. No. 1715 be stricken from the Calendar and placed at the top of General Orders.

The question was taken on the adoption of the motion.

The roll was called, and there were yeas 35 and nays 15, as follows:

Those who voted in the affirmative were:

Ashbach	Dicklich	Knoll	Nelson	Sieloff
Berg	Engler	Knutson	Olhoft	Solon
Bertram	Frank	Kroening	Pehler	Stokowski
Brataas	Frederick	Langseth	Peterson, D. L.	Stumpf
Chmielewski	Frederickson	Lindgren	Pillsbury	Vega
Dahl	Johnson	Moe, D. M.	Ramstad	Waldorf
Davis	Kamrath	Moe, R. D.	Schmitz	Willet

Those who voted in the negative were:

Belanger	Dieterich	Penny	Rued	Taylor
Benson	Menning	Peterson, R. W.	Setzepfandt	Tennessen
Berglin	Merriam	Petty	Spear	Ulland

The motion prevailed.

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

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 62 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

S.F. No. 1910: A bill for an act relating to public welfare; requiring preadmission screening for patients entering nursing homes from hospitals; allowing hospital discharge planners to attend certain preadmission screening assessments; allowing recipient choice between long term care and alternative care; modifying cost limits for alternative care; amending Minnesota Statutes 1980, Section 256B.091, Subdivisions 2, 4, and 6; and Minnesota Statutes 1981 Supplement, Section 256B.091, Subdivision 8.

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 50 and nays 9, as follows:

Those who voted in the affirmative were:

Ashbach	Davis	Kronebusch	Pehler	Sikorski
Bang	Dicklich	Langseth	Penny	Solon
Belanger	Dieterich	Lantry	Peterson, R. W.	Stern
Berg	Engler	Lessard	Petty	Stokowski
Berglin	Frank	Luther	Pillsbury	Stumpf
Bernhagen	Hanson	Menning	Purfeerst	Tennessen
Bertram	Humphrey	Merriam	Ramstad	Ulland
Brataas	Johnson	Moe, R. D.	Renneke	Vega
Chmielewski	Knoll	Nelson	Schmitz	Waldorf
Dahl	Kroening	Olhoft	Sieloff	Willet

Those who voted in the negative were:

Benson	Kamrath	Lindgren	Peterson, D. L.	Setzepfandt
Frederickson	Knutson	Peterson, C. C.	Rued	

So the bill passed and its title was agreed to.

S.F. No. 1713: A bill for an act relating to transportation; providing for the coordination and regulation of special transportation services; amending Minnesota Statutes 1980, Sections 174.29 and 174.30.

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

The question was taken on the passage of the bill.

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

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

S.F. No. 1566: A bill for an act relating to the environment; expediting the receipt of federal moneys for emergency response to hazardous waste releases; expediting the variance issuance procedures of the pollution control agency;

amending Minnesota Statutes 1980, Sections 116.03, Subdivision 3; and 116.07, Subdivision 5.

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

The question was taken on the passage of the bill.

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

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

S.F. No. 1602: A bill for an act relating to animals; eliminating certain licensing and registration requirements; repealing Minnesota Statutes 1980, Section 35.695.

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 63 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

S.F. No. 1766: A bill for an act relating to taxation; making technical corrections and administrative changes to the income tax and property tax refund; amending Minnesota Statutes 1980, Sections 290.012, Subdivision 2; 290.02; 290.03; 290.032, Subdivision 5; 290.06, Subdivisions 9 and 9a; 290.079, Subdivision 1; 290.09, Subdivisions 16 and 17; 290.095, Subdivision 4; 290.13, Subdivision 1; 290.133, Subdivision 1; 290.19, Subdivision 1; 290.281, Subdivision 1; 290.31, Subdivisions 5 and 19; 290.36; 290.45, Subdivision 1; 290.49, Subdivisions 3, 7, and by adding a subdivision; 290.53, by adding a subdivision; 290.65, Subdivisions 9 and 11; 290.91;

290.92, Subdivision 13; 290.93, Subdivision 9; 290.936; 290A.11, by adding a subdivision; and Minnesota Statutes 1981 Supplement, Sections 270.075, Subdivisions 4 and 5, as amended; 290.01, Subdivisions 20, as amended, and 27; 290.05, Subdivisions 1 and 4; 290.075; 290.081; 290.09, Subdivisions 4, and 15; 290.091, as amended; 290.095, Subdivision 11; 290.10; 290.131, Subdivision 1; 290.132, Subdivision 1; 290.136, Subdivision 1; 290.14; 290.18, Subdivisions 1 and 2; 290.21, Subdivision 3; 290.23, Subdivision 3; 290.31, Subdivisions 3 and 4; 290.32; 290.37, Subdivision 1; 290.41, Subdivision 2; 290.42; 290.431; 290.92, Subdivisions 2a, 5, 5a, and 6; 290.93, Subdivisions 1 and 10; 290.9725; 290.974; 290A.03, Subdivisions 3 and 13; 290A.07, Subdivision 2a; 290A.11, Subdivision 1; Laws 1981, Third Special Session Chapter 2, Article III, Section 6, Subdivision 3; proposing new law coded in Minnesota Statutes, Chapter 290; repealing Minnesota Statutes 1980, Sections 62E.03, Subdivision 2; 290.06, Subdivision 3c; 290.0781; 290.079, Subdivisions 2, 3, 4, and 5; 290.08, Subdivision 21; 290.09, Subdivision 24; 290.13, Subdivisions 2, 4, and 10; 290.136, Subdivision 8; 290.26, Subdivision 5; 290.281, Subdivisions 3, 4, and 6; 290.31, Subdivisions 7, 8, 12, 13, 14, 15, 16, 17, 18, 20, 22, 23, 24, 25, and 26; 290.973; and Minnesota Statutes 1981 Supplement, Sections 290.079, Subdivision 6; 290.09, Subdivision 17a; 290.131, Subdivisions 2 and 3; 290.132, Subdivision 2; 290.133, Subdivision 2; 290.21, Subdivision 7; 290.26, Subdivisions 1 and 3; 290.281, Subdivision 2; 290.31, Subdivisions 6, 8a, 9, 10, 11, and 21; and 290.971, Subdivision 7.

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 63 and nays 0, as follows:

Those who voted in the affirmative were:

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

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.

Mr. Johnson introduced—

S.F. No. 2192: A bill for an act relating to malt beverages; requiring identification of kegs and purchasers thereof; proposing new law coded in Minnesota Statutes, Chapter 340.

Referred to the Committee on Commerce.

Mr. Johnson introduced—

S.F. No. 2193: A bill for an act relating to taxation; income; property tax refund; adopting certain federal income tax amendments; altering the adoption of accelerated cost recovery system; limiting the deduction to individual retirement accounts and certain retirement plans; limiting the dependent care credit; amending Minnesota Statutes 1980, Sections 290.067, Subdivision 1; and 290.16, Subdivisions 15, as amended, and 16, as amended; Minnesota Statutes 1981 Supplement, Sections 290.01, Subdivision 20, as amended; 290.09, Subdivisions 7, as amended, and 29; 290.091, as amended; 290.92, Subdivision 15; 290.93, Subdivision 1; 290.934, Subdivision 4; 290A.03, Subdivision 3; repealing Minnesota Statutes 1980, Section 290.65, Subdivisions 2, 3, 4, 5, 6, and 7.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Ulland, Frederickson, Belanger and Lindgren introduced—

S.F. No. 2194: A resolution memorializing the President and Congress of the United States to take immediate steps to curb the sources of acid rain.

Referred to the Committee on Agriculture and Natural Resources.

Mr. Sikorski introduced—

S.F. No. 2195: A bill for an act relating to tort claims against the state; clarifying certain excluded liability; amending Minnesota Statutes 1980, Section 3.736, Subdivision 3.

Referred to the Committee on Judiciary.

Mr. Sikorski introduced—

S.F. No. 2196: A bill for an act relating to public welfare; allowing the commissioner of public welfare to designate that certain license fees can be retained by counties; amending Minnesota Statutes 1980, Section 245.811.

Referred to the Committee on Health, Welfare and Corrections.

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

MOTIONS AND RESOLUTIONS

Mr. Vega moved that S.F. No. 1510 be taken from the table. The motion prevailed.

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.

CONCURRENCE AND REPASSAGE

Mr. Vega moved that the Senate concur in the amendments by the House to

S.F. No. 1510 and that the bill be placed on its repassage as amended. The motion prevailed.

S.F. No. 1510 was read the third time, as amended by the House, and placed on its repassage.

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

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

Those who voted in the affirmative were:

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

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

MOTIONS AND RESOLUTIONS - CONTINUED

Mr. Willet moved that S.F. No. 1988 be stricken from General Orders and re-referred to the Committee on Finance. The motion prevailed.

Mr. Moe, R.D. moved that the Senate do now adjourn until 10:00 a.m., Thursday, March 4, 1982. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate