

EIGHTY-FIFTH DAY

St. Paul, Minnesota, Tuesday, March 9, 1982

The Senate met at 9:00 a.m. and was called to order by the President.

CALL OF THE SENATE

Mr. Willet 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. Richard Goebel.

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

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

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

Mr. Keefe was excused from the Session of today. Mr. Merriam was excused from the Session of today from 12:00 noon to 3:00 p.m. Mr. Schmitz was excused from the Session of today at 3:00 p.m. Messrs. Purfeerst and Stern were excused from the Session of today from 12:00 noon to 1:00 p.m.

EXECUTIVE AND OFFICIAL COMMUNICATIONS

March 3, 1982

The Honorable Jack Davies
President of the Senate

Dear Sir:

I have the honor of informing you that I have received, approved, signed and deposited in the Office of the Secretary of State, S.F. No. 2174.

Sincerely,

Albert H. Quie, Governor

March 3, 1982

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

The Honorable Jack Davies
President of the Senate

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

S.F. No.	H.F. No.	Session Laws Chapter No.	Date Approved 1982	Date Filed 1982
2174		380	March 3	March 3

Sincerely,

Joan Anderson Growe
Secretary of State

March 4, 1982

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

The Honorable Jack Davies
President of the Senate

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

S.F. No.	H.F. No.	Session Laws Chapter No.	Date Approved 1982	Date Filed 1982
	1616	381	March 3	March 4

Sincerely,

Joan Anderson Growe
Secretary of State

March 8, 1982

The Honorable Jack Davies
President of the Senate

Dear Sir:

I have the honor of informing you that I have received, approved, signed and deposited in the Office of the Secretary of State, S.F. Nos. 1582, 709, 1521, and 1756.

Sincerely yours,

Albert H. Quie, Governor

MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to announce that the House refuses to concur in the Senate amendments to House File No. 1872:

H.F. No. 1872: A bill for an act relating to the financing of government in this state; extending the effective date of residential energy credits; providing the interest rate maximum on certain public indebtedness; exempting certain towns from general levy limits; providing an action to enjoin certain tax return preparers from engaging in certain conduct or from preparing returns; making technical corrections and administrative changes to the income tax and property tax refund; clarifying the taxation of gravel and the distribution of revenue; validating certain tax collections by Clay County; providing for allocation of income for nonresident athletes and entertainers; providing for apportionment of income for athletic teams; permitting leases and installment purchases of equipment by local governments and providing for their tax and fiscal treatment; requiring notification to school districts of certain property tax assessment challenge proceedings; authorizing school districts to participate at certain hearings; providing for the collection of taxes; altering the date on which warrants are issued to the sheriff for collection of certain delinquent mobile home property taxes; clarifying the taxation of meals and food products for sales tax purposes; imposing a tax on on-sales of liquor and fermented malt beverages; providing for the financing of certain chemical dependency programs; providing for the lease of hydropower sites by the state or local governmental units; eliminating tax recapture or payment acceleration of deferred special assessments upon certain sales of qualifying agricultural property; providing for reassessment of homestead property damaged by a disaster; allowing the town of Rice Lake to levy in excess of its levy limitation for taxes payable in 1982; providing for withholding of income tax refunds from child support debtors; providing for taxation of certain motor vehicles and combinations in the ninth and succeeding years of vehicle life; permitting the towns of Erin, Forest, Webster, and Wheatland in Rice County to impose a special levy for fire protection purposes; adopting certain federal definitions for purposes of the credit for research and experimental expenditures; providing for homestead treatment of certain condominium leased land; clarifying the homestead classification in certain cases of joint tenancy; clarifying use of additional sales ratio study information; allowing disclosure of private data to permit vendor processing of income and sales tax returns; redefining rent constituting property taxes; providing for the rate and disposition of certain taconite credits; providing for school bonds and related taxation in certain school districts; providing that landowners in unorganized townships receive a property tax credit for certain high voltage transmission lines; providing for the imposition of sales tax on certain retail sales of manufactured homes; allowing a levy limit increase for Clearwater County; granting the city of Bloomington port authority certain redevelopment financing powers; requiring county auditors to combine certain legal descriptions for property tax purposes; providing for sales of unstamped cigarettes to members of Indian tribes; imposing a fee on completion of tax forfeited land sales; revising the metropolitan agricultural preserves act; adopting certain federal income tax amendments; adopting federal income

tax treatment of unemployment compensation; increasing the rate of interest allowed on certain contracts for deed qualifying for an income tax exclusion; altering the adoption of accelerated cost recovery system; exempting plant material from the sales tax; providing a freeze on property taxes paid on the first \$50,000 of market value of homesteads owned by elderly persons; imposing penalties; appropriating money; amending Minnesota Statutes 1980, Sections 105.482, Subdivision 1, and by adding subdivisions; 168.012, by adding a subdivision; 270.06; 270.07, Subdivision 1; 270.10, Subdivision 1; 270.70, Subdivisions 1, 2, 3, and 5, and by adding subdivisions; 272.02, Subdivision 1; 273.111, Subdivisions 9, 11, and by adding a subdivision; 273.121; 273.13, Subdivision 7c; 273.42, as amended; 273.425; 274.19, Subdivision 3; 278.01; 278.05, Subdivisions 2 and 4; 282.014; 282.09, Subdivision 1; 290.01, by adding a subdivision; 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; 290.16, Subdivision 15, as amended, and 16, as amended; 290.19, Subdivision 1; 290.281, Subdivision 1; 290.31, Subdivisions 5 and 19; 290.36; 290.45, Subdivisions 1 and 2; 290.48, Subdivisions 3, 4, 6, and 8; 290.49, Subdivisions 3, 7, and by adding a subdivision; 290.50, by adding a subdivision; 290.53, Subdivisions 2 and 5, and by adding a subdivision; 290.54; 290.65, Subdivisions 9 and 11; 290.91; 290.92, Subdivisions 4a, 13, and 23; 290.93, Subdivision 9; 290.936; 290A.03, by adding a subdivision; 290A.11, by adding a subdivision; 296.01, Subdivision 8; 296.14, Subdivision 1; 296.17, Subdivision 11; 297A.33, Subdivision 2; 297A.39, Subdivisions 2 and 5; 297A.43; 297B.03; 465.71; 473H.02, Subdivision 2, and by adding a subdivision; 473H.04, Subdivisions 1 and 2; 473H.05, Subdivision 1, and by adding a subdivision; 473H.06, Subdivisions 1, 2, and 5; 473H.08, Subdivision 4; 473H.14; 473H.15, by adding a subdivision; 473H.16, Subdivision 3; 475.55, Subdivision 1, and by adding a subdivision; 508.25; 559.21, by adding a subdivision; 580.15; Minnesota Statutes 1981 Supplement, Sections 168.013, Subdivision 1e; 270.063; 270.66; 270.75, Subdivisions 4, as amended, and 5, as amended, and by adding a subdivision; 272.46; 273.11, Subdivision 1; 275.50, Subdivision 2; 290.01, Subdivisions 20, as amended, and 27; 290.05, Subdivisions 1 and 4; 290.06, Subdivision 14; 290.075; 290.081; 290.09, Subdivisions 4, 7, as amended, 15, and 29; 290.091, as amended; 290.095, Subdivision 11; 290.10; 290.131, Subdivision 1; 290.132, Subdivision 1; 290.136, Subdivision 1; 290.14; 290.17, Subdivision 2; 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; 290.61; 290.92, Subdivisions 2a, 5, 5a, 6 and 15; 290.93, Subdivisions 1 and 10; 290.934, Subdivision 4; 290.9725; 290.974; 290A.03, Subdivisions 3, 8, 11, and 13; 290A.07, Subdivision 2a; 290A.11, Subdivision 1; 296.12, Subdivision 4; 297A.01, Subdivision 3; 297A.25, Subdivision 1, as amended; 298.225; 298.24, Subdivision 3; 298.75; Laws 1980, Chapter 453, by adding a section; Laws 1981, Third Special Session Chapter 2, Article III, Section 6; proposing new law coded in Minnesota Statutes, Chapters 270, 273, 290, 295, 297, 297A, 340 and 473H; 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; 290.48, Subdivisions 1 and 9; 290.51; 290.65, Subdivisions 2, 3, 4, 5, 6, and 7; 290.97; 290.973; 297A.33, Subdivision 6; 297A.36; 297A.39, Subdivision 6; 297A.40, Subdivision 2;

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; 290.48, Subdivision 2; 290.971, Subdivision 7; and 298.76.

And the House respectfully requests that a Conference Committee of five members be appointed thereon.

Anderson, I.; Eken; Evans; Jacobs and Sieben, H., have been appointed as such committee on the part of the House.

House File No. 1872 is herewith transmitted to the Senate with the request that the Senate appoint a like committee.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted March 8, 1982

Mr. Moe, R.D., for Mr. Johnson, moved that the Senate accede to the request of the House for a Conference Committee on H.F. No. 1872, and that a Conference Committee of 5 members be appointed by the Subcommittee on Committees on the part of the Senate, to act with a like Conference Committee appointed on the part of the House. The motion prevailed.

RECESS

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

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

APPOINTMENTS

Mr. Moe, R.D. from the Subcommittee on Committees recommends that the following Senators be and they hereby are appointed as a Conference Committee on:

H.F. No. 1872: Messrs. Johnson, Hanson, Ms. Berglin, Messrs. Setzepfandt and Sieloff.

Mr. Moe, R.D. moved that the foregoing appointments be approved. The motion prevailed.

RECESS

Mr. Moe, R.D. moved that the Senate do now recess until 12:00 noon. The motion prevailed.

The hour of 12:00 noon having arrived, the President called the Senate to order.

CALL OF THE SENATE

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

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. 1648, 1687, 1878 and 1879.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 8, 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. 155: A bill for an act relating to public welfare; providing for retention of certain receipts by state hospitals; amending Minnesota Statutes 1980, Section 246.57.

Senate File No. 155 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 8, 1982

Mr. Moe, R.D. moved that S.F. No. 155 be laid on the table. The motion prevailed.

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. 358: A bill for an act relating to intoxicating liquor; requiring proof of financial responsibility; amending Minnesota Statutes 1980, Sections 340.11, by adding a subdivision; 340.12; and 340.353, by adding a subdivision.

Senate File No. 358 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Mr. Tennesen moved that the Senate do not concur in the amendments by the House to S. F. No. 358, and that a Conference Committee of 5 members be appointed by the Subcommittee on Committees on the part of the Senate, to act with a like Conference Committee to be appointed on the part of the House. The motion prevailed.

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. 787: A bill for an act relating to retirement; volunteer firefighters relief associations; financing and benefit amounts; amending Minnesota Statutes 1980, Sections 69.772, Subdivision 2a; 424.01; 424.02; 424.04; 424.16; 424.17; and 424A.02, Subdivisions 3, 7 and 9.

Senate File No. 787 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 8, 1982

CONCURRENCE AND REPASSAGE

Mr. Peterson, C.C. moved that the Senate concur in the amendments by the House to S.F. No. 787 and that the bill be placed on its repassage as amended. The motion prevailed.

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

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 61 and nays 0, as follows:

Those who voted in the affirmative were:

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

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

MESSAGES FROM THE HOUSE - CONTINUED

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. 786: A bill for an act relating to retirement; volunteer firefighters relief associations; authorizing relief associations to increase retirement benefit and service pension amounts without municipal ratification in certain instances; amending Minnesota Statutes 1980, Sections 69.772, Subdivision 6; 69.773, Subdivision 6; and 424A.02, Subdivision 10.

Senate File No. 786 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 8, 1982

CONCURRENCE AND REPASSAGE

Mr. Peterson, C.C. moved that the Senate concur in the amendments by the House to S.F. No. 786 and that the bill be placed on its repassage as amended. The motion prevailed.

S.F. No. 786 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 57 and nays 3, as follows:

Those who voted in the affirmative were:

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

Messrs. Moe, D.M.; Pillsbury and Waldorf voted in the negative.

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

MESSAGES FROM THE HOUSE - CONTINUED

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. 16: A bill for an act relating to probate; changing certain time limits and procedures for a personal representative to file an inventory and appraisal; amending Minnesota Statutes 1980, Section 524.3-706.

Senate File No. 16 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 8, 1982

Mr. Sieloff, for Mr. Davies, moved that the Senate do not concur in the amendments by the House to S. F. No. 16, and that a Conference Committee of 3 members be appointed by the Subcommittee on Committees on the part of the Senate, to act with a like Conference Committee to be appointed on the part of the House. The motion prevailed.

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. 1364: A bill for an act relating to local government; providing for the separation of the city and town of Sturgeon Lake and the city of Rutledge and town of Kettle River.

Senate File No. 1364 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 8, 1982

CONCURRENCE AND REPASSAGE

Mr. Chmielewski moved that the Senate concur in the amendments by the House to S.F. No. 1364 and that the bill be placed on its repassage as amended. The motion prevailed.

S.F. No. 1364: A bill for an act relating to local government; providing for the separation of the city and town of Sturgeon Lake and the city of Rutledge and town of Kettle River; authorizing the town of Oakport in Clay county to exercise certain powers; amending Laws 1981, Chapter 183, Section 3.

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 62 and nays 0, as follows:

Those who voted in the affirmative were:

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

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

MESSAGES FROM THE HOUSE - CONTINUED

Mr. President:

I have the honor to announce the passage by the House of the following House Files, herewith transmitted: H.F. Nos. 1018, 1553, 1704, 2156, 1382, 1760, 2199, 1737, 1834, 2169, 1919, 2021, 2079, 1894 and 1897.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted March 8, 1982

FIRST READING OF HOUSE BILLS

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

H.F. No. 1018: A bill for an act relating to agriculture; consolidating existing laws; providing for agricultural commodity research and promotion councils; establishing procedures; providing penalties; amending Minnesota Statutes 1980, Sections 17.53; 17.54; 17.56; 17.57; 17.58; 17.59, Subdivisions 1, and 2; 17.60; 17.62; 17.63; 17.64; and 17.67; amending Minnesota Statutes 1981 Supplement, Section 17.59, Subdivision 4; repealing Minnesota Statutes

1980, Sections 17.55; 17.601; 17.65; 17.68; 21A.01 to 21A.19, as amended; 29.14 to 29.16; 29.18; 29.19; 30.461 to 30.468, as amended; 30.472 to 30.479; 32B.01 to 32B.06; 32B.08 to 32B.11; 32B.13; Minnesota Statutes 1981 Supplement, Sections 29.17; 30.469; 30.47; 32B.07; and 32B.12.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 1269, now on General Orders.

H.F. No. 1553: A bill for an act relating to drivers licenses; requiring the suspension of licenses of certain uninsured persons; providing a penalty; appropriating money; proposing new law coded in Minnesota Statutes, Chapter 171.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 1596, now on General Orders.

H.F. No. 1704: A bill for an act relating to public safety; making it a felony to use or possess metal-penetrating bullets in the commission of a crime; prescribing penalties; proposing new law coded in Minnesota Statutes, Chapter 624.

Referred to the Committee on Rules and Administration.

H.F. No. 2156: A bill for an act relating to education; authorizing the state university board to lease land on Mankato state university campus; permitting Mankato state university to lease a building; transferring title for a building to the state; proposing new law coded in Minnesota Statutes, Chapter 136.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 2053, now on the Calendar.

H.F. No. 1382: A bill for an act relating to the city of Duluth; providing for the size of the housing and redevelopment authority.

Referred to the Committee on Local Government and Urban Affairs.

H.F. No. 1760: 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; 626A.05, 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.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 1707, now on General Orders.

H.F. No. 2199: A bill for an act relating to elections; recodifying municipal elections law; amending Minnesota Statutes 1980, Sections 205.02; 205.07, Subdivision 1; 205.13, as amended; 205.16; 205.17, as amended; 205.20, as amended; and 205.84; Minnesota Statutes 1981 Supplement, Section 205.10; proposing new law coded in Minnesota Statutes, Chapter 205; repealing Minnesota Statutes 1980, Sections 205.021; 205.04; 205.11, Subdivisions 1, 2, 3, 4 and 5; 205.14, Subdivisions 1, 2 and 3; 205.18; and 205.19; and Minnesota Statutes 1981 Supplement, Sections 205.03; 205.10; 205.11, Subdivision 4a; 205.121; 205.14, Subdivision 4; and 205.15.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 1752, now on General Orders.

H.F. No. 1737: A bill for an act relating to retirement; local police and salaried firefighters relief association; providing minimum disability benefit coverage for police officers and firefighters in certain local relief associations; providing for the recomputation of a disability benefit as a service pension upon the attainment of a certain age; providing service credit for periods of disability in certain instances; requiring the provision of less hazardous duty employment positions for marginally disabled police officers and firefighters; requiring offsets from disability benefits in certain instances; authorizing the establishment and operation of the West St. Paul firefighters relief association; validating prior actions by the West St. Paul firefighters relief association; clarifying and resolving an inconsistency in prior enactments concerning medical and health insurance coverage for certain relief association members; amending Laws 1974, Chapter 382, Sections 4, Subdivision 3, as amended; and 6, Subdivision 4; proposing new law coded in Minnesota Statutes, Chapter 423A.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 1661, now on General Orders.

H.F. No. 1834: A bill for an act relating to claims against the state; providing for payment of various claims; providing for cancelation of old claims; appropriating money.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 1789.

H.F. No. 2169: A bill for an act relating to public welfare; designating the commissioner of public welfare as the state authority for federal mental health, alcohol and drug abuse block grants; prescribing a formula for distribution of federal funds to counties and defining duties of counties in the use of the funds; amending Minnesota Statutes 1980, Sections 245.70; 245.71; and 254A.16, by adding subdivisions; Minnesota Statutes 1981 Supplement, Section 254A.03, Subdivision 1; proposing new law coded in Minnesota Statutes, Chapter 245.

Referred to the Committee on Health, Welfare and Corrections.

H.F. No. 1919: A bill for an act relating to agriculture; formulating a state agricultural land preservation and conservation policy; imposing duties on state agencies regarding agency actions adversely affecting agricultural land; continuing the existence of the joint legislative committee on agricultural land preservation; allocating certain state cost-sharing funds for high priority soil erosion, sedimentation and water control problems identified by local soil and water conservation districts; imposing duties on state and local soil and water conservation boards; providing technical and administrative assistance grants to local districts; requiring coordination of state soil and water conservation programs with other public agencies; establishing a conservation tillage demonstration program; amending Minnesota Statutes 1980, Sections 15.0412, by adding a subdivision; 40.03, Subdivision 4; 40.036; 40.07, Subdivision 9; and Laws 1979, Chapter 315, Section 2, as amended; proposing new law coded in Minnesota Statutes, Chapters 17 and 40; repealing Minnesota Statutes 1980, Section 473H.13; and Laws 1979, Chapter 315, Section 1.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 1847, now on General Orders.

H.F. No. 2021: A bill for an act relating to local government; creating the Morrison County rural development finance authority; authorizing the estab-

ishment of a development and redevelopment program and the authorization of powers for it.

Mr Wegener moved that H.F. No. 2021 be laid on the table. The motion prevailed.

H.F. No. 2079: A bill for an act relating to state lands; authorizing the sale of a certain lakeshore lot in Douglas County.

Referred to the Committee on Agriculture and Natural Resources.

H.F. No. 1894: A bill for an act relating to municipal housing; authorizing the planning, implementation, and financing of rehabilitation and energy improvement loans; providing for the allocation of mortgage bonds; amending Minnesota Statutes 1980, Sections 462C.01; 462C.02, Subdivisions 3, 4 and 5, and by adding subdivisions; 462C.03, as amended; 462C.04, Subdivision 2; 462C.05, Subdivisions 2 and 5; 462C.07, Subdivision 1; Minnesota Statutes 1981 Supplement, Sections 462C.05, Subdivisions 1 and 3; and 462C.09; repealing Minnesota Statutes 1981 Supplement, Section 462C.07, Subdivision 2.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 1941, now on General Orders.

H.F. No. 1897: A bill for an act relating to the state agricultural society; updating and clarifying certain powers and duties of the society; amending Minnesota Statutes 1980, Sections 37.01; 37.04, Subdivision 3; 37.05; 37.06; 37.17, subdivisions 1, 2, and by adding a subdivision; 37.18; 37.19; 37.20; 37.21; and 37.22; repealing Minnesota Statutes 1980, Section 37.23; Minnesota Statutes 1981 Supplement, Sections 37.17, Subdivision 3; and 37.27.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 1873, now on the Calendar.

Without objection, the Senate reverted to the Order of Business of Executive and Official Communications.

EXECUTIVE AND OFFICIAL COMMUNICATIONS

February 16, 1982

The Honorable Jack Davies
President of the Senate

Dear Sir:

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

Arthur F. Gillen, 8 Chickadee Lane, North Oaks, Ramsey County, has been appointed by me, effective February 16, 1982, for a term expiring the first Monday in January, 1986.

Robert W. Hatch, 2330 West Lake of the Isles Blvd., Minneapolis, Hennepin County, has been appointed by me, effective February 16, 1982, for a term expiring the first Monday in January, 1986.

(Referred to the Committee on Education.)

March 3, 1982

The Honorable Jack Davies
President of the Senate

Dear Sir:

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

C.R. Baldy Hansen, 100 1st Street S.E., Austin, Mower County, has been appointed by me, effective March 3, 1982, for a term expiring the first Monday in January, 1986.

(Referred to the Committee on Elections and Reapportionment.)

Sincerely,

Albert H. Quie, Governor

Without objection, the Senate proceeded to the Order of Business of Reports of Committees.

REPORTS OF COMMITTEES

Mr. Moe, R.D. moved that the Committee Reports at the Desk be now adopted. The motion prevailed.

Mr. Willet from the Committee on Finance, to which was re-referred

S.F. No. 1988: A bill for an act relating to housing; directing the department of energy, planning and development to administer certain federal money; proposing new law coded in Minnesota Statutes, Chapter 362.

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

Pages 1 and 2, delete subdivision 1 and insert:

"Subdivision 1. [DUTY OF COMMISSIONER.] The commissioner shall administer the federal small cities community development block grant authorized under Title 1 of the Housing and Community Development Act of 1974, 42 United States Code, Sections 5301 to 5320, as amended through the Housing and Community Development Amendments of 1981, Public Law Number 97-35. The commissioner shall insure that the money is used in a manner consistent with applicable federal statutes and state laws. The primary objective of the program shall be the development of viable urban communities, by providing decent housing and suitable living environment and expanding economic opportunities, principally for persons of low and moderate income. The money shall be used in combination with other public and private resources whenever possible. To the extent allowed by law, the commissioner shall administer the money so that it is used for those projects for which the greatest need can be demonstrated and that will have the greatest impact on that need and upon which communities have placed a high priority. The commissioner shall encourage local government officials to seek the recommendations of concerned and affected citizens on the development and selection of projects. Communities shall develop a citizen participation process."

Page 2, line 10, delete "U.S.C." and insert "United States Code, Section"

Page 2, delete lines 11 to 15 and insert:

"Subd. 3. [MONITORING; EVALUATION.] The commissioner shall"

Amend the title as follows:

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

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

Mr. Willet from the Committee on Finance, to which was re-referred

S.F. No. 1031: A bill for an act relating to the environment; establishing an environmental response, compensation and compliance fund to pay for removal and remedial action associated with certain hazardous substances released into the environment and for other purposes; providing for liability for cleanup costs, personal injury and economic loss resulting from releases of hazardous substances; imposing taxes, fees, and penalties; appropriating money; amending Minnesota Statutes 1980, Sections 116.03, Subdivision 3; 466.01, by adding a subdivision; and 466.04, Subdivision 1; Minnesota Statutes 1981 Supplement, Section 115A.06, Subdivision 13; proposing new law coded as Minnesota Statutes, Chapters 115B and 297C.

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

Page 19, line 32, delete "*January 1, 1983*" and insert "*November 1, 1982*"

Page 23, lines 17 and 18, delete "*sections 18 and 22 to 41*" and insert "*section 18*"

Page 24, after line 13, insert:

"Subd. 4. [LONG TERM CONTAINMENT.] 'Long term containment' means land disposal or storage for a period of more than one year.

Subd. 5. [TREATMENT.] 'Treatment' means any material, technique or process designed to change the physical, chemical or biological character or composition of a hazardous waste in order to: (a) neutralize it; (b) render it nonhazardous or less hazardous; (c) render it safer to transport, store or dispose of; (d) make it amenable to storage; or (e) reduce its volume."

Page 24, line 18, delete everything after the period

Page 24, delete lines 19 to 21

Page 24, line 22, delete "*generated.*"

Page 24, line 23, delete "*and*" and insert "*or*"

Page 24, line 23, delete "*waste*" and insert "*used crankcase*"

Page 24, line 27, delete "*, including land disposal and long term storage,*"

Page 24, line 28, delete "*five*" and insert "*20*" and delete "*\$5*" and insert "*\$20*"

Page 24, line 32, delete "*four*" and insert "*12*"

Page 24, line 33, delete "*\$4*" and insert "*\$12*"

Page 24, line 35, delete "*chemical*"

Page 24, line 35, after "hazardous" insert ", including treatment permitted by the agency in a sewage treatment works,"

Page 24, line 36, after "or" insert "hazardous waste"

Page 25, line 1, delete "or other means"

Page 25, line 6, after "29," insert "or are put into any sewer system as permitted by the agency,"

Page 25, line 11, delete everything after "penalties"

Page 25, line 12, delete everything after "fund" and insert a period

Page 25, delete lines 13 and 14

Page 25, line 16, delete "or sections 22 to 41"

Page 25, delete lines 25 to 36

Page 26, delete lines 1 to 36

Page 27, delete lines 1 to 36

Page 28, delete lines 1 to 36

Page 29, delete lines 1 to 28 and insert:

"Subdivision 1. [QUARTERLY REPORTS AND PAYMENTS; EXCEPTION.] By the fourteenth day following the last day of each calendar quarter beginning after December 31, 1982, every person liable for payment of a tax under section 18, except as provided in subdivision 4 of this section, shall make and file with the commissioner of revenue a report under oath, in the form and containing the information required by the commissioner. The amount of the tax due shall be remitted together with the form. The commissioner may establish rules under which a generator of a low volume of hazardous wastes may file the report and pay the tax annually.

Subd. 2. [AMENDED RETURNS.] A taxpayer who finds that a return filed under this section as originally filed is in error may correct the error by filing an amended return. If the taxpayer is entitled to a refund due to the correction, the amended return will serve as a claim for the refund provided it is filed no later than three years after the original return is filed.

Subd. 3. [EXCHANGE OF INFORMATION.] Notwithstanding the provisions of sections 116.075 or 290.61 or any other law to the contrary, the commissioner of revenue and the pollution control agency may provide each other with the information necessary for the enforcement of section 18. Information disclosed in a return filed pursuant to this section or information exchanged between the commissioner and the agency is public unless the information is of the type determined to be for the confidential use of the agency pursuant to section 116.075 or is trade secret information classified pursuant to section 15.1673."

Page 29, line 29, delete "7" and insert "4"

Page 30, line 4, delete "8" and insert "5"

Page 30, line 4, after "AGENCY" insert "AND METROPOLITAN COUNTIES"

Page 30, line 9, after the period, insert "Metropolitan counties required to

regulate hazardous wastes under section 473.811, subdivision 5b, shall provide to the agency the data and information necessary to allow the agency to carry out its duties under this subdivision. Upon request by the commissioner,"

Page 30, line 9, before "notify" insert "examine returns and reports filed with the commissioner and"

Page 30, line 11, delete "and may audit" and insert ". The agency may assist in auditing"

Page 30, line 13, delete "9" and insert "6"

Page 30, line 17, delete "10" and insert "7"

Page 30, after line 20, insert:

"Subd. 8. [ADMINISTRATIVE EXPENSES.] Any amount expended by the commissioner or agency from a general fund appropriation to enforce and administer section 18 and this section shall be reimbursed to the general fund and the amount necessary to make the reimbursement is appropriated from the fund to the commissioner of finance for transfer to the general fund."

Pages 32 to 47, delete sections 22 to 41

Pages 49 and 50, delete section 46 and insert:

"Sec. 26. [APPROPRIATION; COMPLEMENT.]

Subdivision 1. [APPROPRIATION TO FUND.] The sum of \$4,000,000 is appropriated from the general fund and transferred to the environmental response, compensation and compliance fund established in section 16.

Subd. 2. [TAX ADMINISTRATION; COMPLEMENT.] The following sums are appropriated from the general fund to be available until June 30, 1983, for costs of administering and enforcing sections 18 and 20.

(a) To the commissioner of revenue \$85,000

The approved complement of the department of revenue is increased by two positions.

(b) To the pollution control agency \$30,000

The approved complement of the pollution control agency is increased by one position.

Subd. 3. [APPROPRIATION FOR RESPONSE ACTIONS.] For the biennium ending June 30, 1983, and except as provided in subdivision 4, all money in the environmental response, compensation and compliance fund except any money recovered with respect to natural resources under section 14, subdivision 8, is appropriated to the pollution control agency for the purposes described in section 16, subdivision 2, clauses (a) and (b).

Subd. 4. [RULES; PRIORITY LISTS; COMPLEMENT.] The sum of \$40,000 is appropriated from the environmental response, compensation and compliance fund to the pollution control agency for the cost of establishing priority lists and adopting rules as required under section 14, subdivision 13, to be available until June 30, 1983.

The approved complement of the pollution control agency is increased by six

positions.”

Page 50, line 27, delete “and sections 22 to 41”

Page 50, line 28, delete “taxes” and insert “tax”

Page 50, line 29, delete “and sections 22 to 41 are” and insert “is”

Page 50, line 30, delete “42 and 43” and insert “22, 23 and 26, subdivision 2,”

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 15, delete “Chapters 115B and 297C” and insert “Chapter 115B”

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

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

H.F. No. 612 for comparison with companion Senate File, reports the following House File was found not identical with its companion Senate File as follows:

GENERAL ORDERS		CONSENT CALENDAR		CALENDAR	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F.No.	S.F.No.
				612	1865

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H.F. No. 612 be amended as follows:

Page 1, line 21, strike “any” and insert “a”

Page 1, line 23, strike “any”

Page 1, line 29, strike “any” and insert “a” and delete “or”

Page 1, delete line 30

Page 2, delete lines 1 to 8

Page 2, line 9, delete the new language

Page 2, lines 10, 11, and 14 strike “any” and insert “a”

Page 2, delete lines 16 to 34

Page 3, line 11, delete “regarding” and insert “to ensure”

Page 3, line 12, delete “to”

Page 3, delete line 13

Page 3, line 14, delete everything before the period and insert “any site, lot, field, or tract of land and water upon which two or more occupied mobile or immobile dwelling units are located”

Page 3, line 17, strike “every” and insert “a”

Page 3, line 18, strike “be required to”

Page 3, line 21, delete “section” and insert “subdivision”

Page 3, line 25, strike "any" and insert "an"

Page 3, line 28, strike "Any" and insert "A"

Page 3, line 31, strike "any" and insert "an"

Page 4, delete lines 5 to 18 and insert

"Sec. 7. Minnesota Statutes 1980, Section 238.12, is amended by adding a subdivision to read:

Subd. 1a. The procedures for establishing all rates shall be set forth in the franchise ordinance. Rates charged by a cable communication company may be set forth in the franchise ordinance by the municipality. The franchise ordinance shall specify the current rates or in the alternative shall provide that the current rates and charges be available for public inspection in the municipality.

Sec. 8. [REPEALER.]

Minnesota Statutes 1980, Section 238.12, Subdivisions 1 and 2, are repealed."

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 9, after "dwellings" insert "and tracts of multiple dwelling units"

Page 1, line 12, delete "238.03;"

Page 1, line 14, after the semicolon insert "238.12, by adding a subdivision; repealing Minnesota Statutes 1980,"

And when so amended H.F. No. 612 will be identical to S.F. No. 1865, and further recommends that H.F. No. 612 be given its second reading and substituted for S.F. No. 1865, 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. 1988 and 1031 were read the second time.

SECOND READING OF HOUSE BILLS

H.F. No. 612 was read the second time.

MOTIONS AND RESOLUTIONS

Mr. Frederickson moved that his be name stricken as a co-author to S.F. No. 1548. The motion prevailed.

Mr. Renneke moved that his name be stricken as a co-author to S.F. No. 1548. The motion prevailed.

Mr. Solon moved that the name of Mrs. Stokowski be added as a co-author to S.F. No. 1697. The motion prevailed.

Mr. Spear moved that the name of Mr. Sikorski be added as a co-author to S.F. No. 1775. The motion prevailed.

Mr. Frederick moved that the name of Mr. Belanger be added as a co-author to S.F. No. 1835. The motion prevailed.

Mrs. Lantry moved that the name of Mr. Sikorski be added as a co-author to S.F. No. 1888. The motion prevailed.

Mr. Merriam moved that the name of Mr. Vega be added as a co-author to S.F. No. 1918. The motion prevailed.

Ms. Berglin moved that the name of Mr. Frederickson be added as a co-author to S.F. No. 2009. The motion prevailed.

Mr. Merriam moved that the name of Mr. Sikorski be added as a co-author to S.F. No. 2055. The motion prevailed.

Mr. Wegener moved that H.F. No. 2021 be taken from the table. The motion prevailed.

SUSPENSION OF RULES

Mr. Wegener moved that an urgency be declared within the meaning of Article IV, Section 19, of the Constitution of Minnesota, with respect to H.F. No. 2021 and that the rules of the Senate be so far suspended as to give H.F. No. 2021 its second and third reading and place it on its final passage. The motion prevailed.

H.F. No. 2021: A bill for an act relating to local government; creating the Morrison County rural development finance authority; authorizing the establishment of a development and redevelopment program and the authorization of powers for it.

H.F. No. 2021 was read the second time.

H.F. No. 2021 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	Kroening	Peterson, C. C.	Spear
Bang	Dieterich	Kronebusch	Peterson, D. L.	Stokowski
Belanger	Engler	Langseth	Peterson, R. W.	Stumpf
Benson	Frank	Lantry	Petty	Taylor
Berg	Frederick	Lessard	Pillsbury	Tennessen
Berglin	Frederickson	Lindgren	Purfeerst	Ulland
Bernhagen	Hanson	Luther	Ramstad	Vega
Bertram	Hughes	Menning	Renneke	Waldorf
Brataas	Humphrey	Moe, R. D.	Rued	Wegener
Chmielewski	Johnson	Nelson	Setzepfandt	Willet
Dahl	Kamrath	Olhoft	Sieloff	
Davies	Knoll	Pehler	Sikorski	
Davis	Knutson	Penny	Solon	

So the bill passed and its title was agreed to.

Mr. Knutson moved that H.F. No. 1690 be withdrawn from the Committee on Finance and re-referred to the Committee on Rules and Administration for

comparison with S.F. No. 1650, now on General Orders. The motion prevailed.

Mrs. Brataas moved that H.F. No. 1698 be withdrawn from the Committee on Finance and re-referred to the Committee on Rules and Administration for comparison with S.F. No. 1813. The motion prevailed.

Mr. Solon moved that H.F. No. 1994 be withdrawn from the Committee on Commerce and re-referred to the Committee on Rules and Administration for comparison with S.F. No. 1930, now on General Orders. The motion prevailed.

Mr. Solon moved that S.F. No. 1493 be stricken from General Orders and returned to the Committee on Health, Welfare and Corrections. The motion prevailed.

SUSPENSION OF RULES

Remaining on the Order of Business of Motions and Resolutions, Mr. Moe, R.D. moved to take up the Senate Calendar and that the rules of the Senate be so far suspended as to waive the lie-over requirement. The motion prevailed.

CALENDAR

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; permitting the granting and transfer of credits for students; allowing reimbursement for instruction; proposing new law coded in Minnesota Statutes, Chapter 123.

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:

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

So the bill passed and its title was agreed to.

H.F. No. 438: A bill for an act relating to retirement; authorizing certain persons in various retirement funds to purchase prior service credit and military service credit; authorizing an amendment to the articles of incorporation of the Minneapolis teachers retirement fund association; allowing a surviving spouse to elect a joint and survivor annuity under certain circumstances; amending Minnesota Statutes 1981 Supplement, Section 354.46, 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 63 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

S.F. No. 1336: A bill for an act relating to financial institutions; redefining "contract for deed" to include sales of mobile homes used as a residence by the seller; amending Minnesota Statutes 1981 Supplement, Section 47.20, 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 63 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

H.F. No. 1794: A bill for an act relating to health; providing for an advisory task force to make recommendations on the distribution of funds for maternal and child health care needs; proposing new law coded in Minnesota Statutes, Chapter 145.

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 42 and nays 20, as follows:

Those who voted in the affirmative were:

Bang	Dicklich	Lantry	Peterson, R. W.	Stokowski
Belanger	Frank	Luther	Petty	Stumpf
Berglin	Hanson	Menning	Ramstad	Tennessen
Bertram	Hughes	Moe, D. M.	Setzepfandt	Vega
Brataas	Humphrey	Moe, R. D.	Sieloff	Wegener
Chmielewski	Johnson	Nelson	Sikorski	Willet
Dahl	Knoll	Olhoft	Solon	
Davies	Kroening	Pehler	Spear	
Davis	Langseth	Peterson, C. C.	Stern	

Those who voted in the negative were:

Benson	Frederickson	Lessard	Pillsbury	Schmitz
Berg	Kamrath	Lindgren	Purfeerst	Taylor
Bernhagen	Knutson	Penny	Renneke	Ulland
Engler	Kronebusch	Peterson, D. L.	Rued	Waldorf

So the bill passed and its title was agreed to.

S.F. No. 1637: A bill for an act relating to state investment policy; prohibiting certain investments in countries not following human rights standards; proposing new law coded in Minnesota Statutes, Chapter 11A.

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 31 and nays 34, as follows:

Those who voted in the affirmative were:

Berglin	Hughes	Moe, D. M.	Peterson, R. W.	Tennessen
Dahl	Humphrey	Moe, R. D.	Petty	Ulland
Davies	Johnson	Nelson	Sikorski	Vega
Dicklich	Knoll	Olhoft	Solon	
Dieterich	Kroening	Pehler	Stern	
Frank	Lantry	Penny	Stokowski	
Hanson	Luther	Peterson, C. C.	Stumpf	

Those who voted in the negative were:

Ashbach	Brataas	Knutson	Pillsbury	Sieloff
Bang	Chmielewski	Kronebusch	Purfeerst	Spear
Belanger	Davis	Langseth	Ramstad	Taylor
Benson	Engler	Lessard	Renneke	Waldorf
Berg	Frederickson	Lindgren	Rued	Wegener
Bernhagen	Frederickson	Menning	Schmitz	Willet
Bertram	Kamrath	Peterson, D. L.	Setzepfandt	

So the bill failed to pass.

H.F. No. 1885: A bill for an act relating to public welfare; providing for approval of mental health clinics and centers pending promulgation of permanent rules.

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 64 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

S.F. No. 198: A bill for an act relating to information practices of public bodies; regulating the treatment of government data; providing conditions for disclosure; enacting the uniform information practices code; providing penalties; amending Minnesota Statutes 1980, Sections 3.97, Subdivisions 9 and 11; 10A.02, Subdivision 11a; 72A.062, Subdivision 2; 115A.14, Subdivision 3; 123.704; 123.741, Subdivision 5; 136A.162; 144.1761, Subdivision 2; 144.216, Subdivision 2; 144.218; 144.225, Subdivision 1; 144.691, Subdivision 4; 144.693; 145.925, Subdivision 6; 147.073, Subdivision 1; 169.126, Subdivision 2; 241.44, Subdivision 1a; 241.66, Subdivision 1; 245.69, Subdivision 2; 256B.27, Subdivision 5; 268.40, Subdivision 3; 270A.11; 299F.055; 462A.065; and 626.557, Subdivisions 11 and 12; Minnesota Statutes 1981 Supplement, Sections 15.781, Subdivision 2; 144A.10, Subdivision 3; 197.603, Subdivision 2; 241.62, Subdivision 5; 362.53, Subdivision 17; 626.556, Subdivision 11; proposing new law coded as Minnesota Statutes, Chapter 16B; repealing Minnesota Statutes 1980, Sections 15.167; 15.1674; 15.1675; 15.1676; 15.1677; 15.1678; 15.1679; 15.1681; 15.1691; 15.1694; 15.1696; and 15.1697; and Minnesota Statutes 1981 Supplement, Sections 15.1611; 15.162; 15.1621; 15.163; 15.1642; 15.165; 15.166; 15.1671; 15.1672; 15.1673; 15.1682; 15.1683; 15.1692; 15.1693; 15.1695; 15.1698; 15.1699; 15.771; 15.772; 15.773; 15.774; 15.775; 15.776; 15.777; 15.778; 15.779; 15.781; 15.782; 15.783; 15.784; 15.785; 15.786; 15.787; 15.788; 15.789; 15.791; 15.792; and 15.793.

Mr. Tennessen moved that S.F. No. 198 be stricken from the Calendar and placed at the top of General Orders. The motion prevailed.

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

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 65 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

H.F. No. 1902: A bill for an act relating to Ramsey County; permitting the county to establish a small business set-aside program.

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 4, as follows:

Those who voted in the affirmative were:

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

Messrs. Lindgren; Olhoft; Peterson, C.C. and Peterson, D.L. voted in the negative.

So the bill passed and its title was agreed to.

S.F. No. 2051: A bill for an act relating to rural development; changing the purposes of rural development financing authorities; providing for small business finance agency loans to a farm business; amending Minnesota Statutes 1980, Sections 362.52, Subdivision 3; 362A.01, Subdivision 2; and Minnesota Statutes 1981 Supplement, Section 362.50, Subdivisions 5 and 9.

Mr. Petty moved that S.F. No. 2051 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 21 and nays 41, as follows:

Those who voted in the affirmative were:

Berglin	Knoll	Petty	Spear	Waldorf
Dahl	Kroening	Pillsbury	Stokowski	
Dicklich	Luther	Purfeerst	Stumpf	
Dieterich	Moe, D. M.	Ramstad	Tennessen	
Johnson	Peterson, R. W.	Sikorski	Vega	

Those who voted in the negative were:

Ashbach	Davies	Knutson	Olhoft	Sieloff
Bang	Davis	Kronebusch	Pehler	Solon
Belanger	Engler	Langseth	Penny	Ulland
Benson	Frank	Lantry	Peterson, C. C.	Wegener
Berg	Frederick	Lessard	Peterson, D. L.	Willet
Bernhagen	Frederickson	Lindgren	Renneke	
Bertram	Hughes	Menning	Rued	
Brataas	Humphrey	Moe, R. D.	Schmitz	
Chmielewski	Kamrath	Nelson	Setzepfandt	

The motion did not prevail.

S.F. No. 2051 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 48 and nays 13, as follows:

Those who voted in the affirmative were:

Bang	Davis	Langseth	Peterson, D. L.	Solon
Belanger	Engler	Lantry	Pillsbury	Stern
Benson	Frank	Menning	Purfeerst	Stokowski
Berg	Frederick	Moe, D. M.	Ramstad	Taylor
Bernhagen	Frederickson	Moe, R. D.	Renneke	Ulland
Bertram	Hughes	Nelson	Rued	Vega
Brataas	Humphrey	Olhoft	Schmitz	Wegener
Chmielewski	Kamrath	Pehler	Setzepfandt	Willet
Dahl	Knutson	Penny	Sieloff	
Davies	Kronebusch	Peterson, C. C.	Sikorski	

Those who voted in the negative were:

Berglin	Johnson	Lindgren	Spear	Waldorf
Dicklich	Knoll	Luther	Stumpf	
Dieterich	Kroening	Petty	Tennessen	

So the bill passed and its title was agreed to.

H.F. No. 1701: A bill for an act relating to the city of Hibbing; authorizing increases in certain firefighters service pensions and survivor benefits; amending Laws 1977, Chapter 169, Section 1 and Laws 1971, Chapter 614, Section 1, 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 63 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

S.F. No. 1948: A bill for an act relating to the Hennepin County park reserve district and the city of Anoka; authorizing the district to participate in hydro-electric power generation with other local government units under certain conditions.

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 4, as follows:

Those who voted in the affirmative were:

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

Ms. Berglin, Mr. Davis, Mmes. Lantry and Stokowski voted in the negative.

So the bill passed and its title was agreed to.

H.F. No. 1697: A bill for an act relating to retirement; validating a certain post retirement adjustment granted by the Virginia firefighters relief association; authorizing increases in benefits payable by the Eveleth police and fire trust fund; defining certain terms, providing for the governance of separate and distinct general and special funds, providing benefit improvements for certain participants and benefit recipients, validating adoption of third class city police law, and validating past payments by the Virginia police relief association; clarifying the authority to approve alternative benefit increases; repealing Laws 1935, Chapters 92 and 259; Laws 1937, Chapter 197; and Laws 1949, Chapter 235.

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 64 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

S.F. No. 1723: A bill for an act relating to retirement; Minnesota state retirement system; imposing liability for certain omitted employee contributions on the employing unit; elective state officers retirement plan; providing benefit adjustments for retired constitutional officers and surviving spouses; amending Minnesota Statutes 1980, Section 352.04, Subdivision 8; proposing new law coded in Minnesota Statutes, Chapter 352C.

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 64 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

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.

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 65 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

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.

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 51 and nays 13, as follows:

Those who voted in the affirmative were:

Ashbach	Dicklich	Langseth	Peterson, R. W.	Stokowski
Bang	Dieterich	Lantry	Petty	Stumpf
Belanger	Engler	Lessard	Purfeerst	Tennessen
Benson	Frank	Luther	Ramstad	Vega
Berg	Hanson	Menning	Schmitz	Waldorf
Berglin	Hughes	Moe, D. M.	Setzepfandt	Wegener
Bertram	Humphrey	Moe, R. D.	Sieloff	Willet
Chmielewski	Kamrath	Nelson	Sikorski	
Dahl	Knoll	Pehler	Solon	
Davies	Kroening	Penny	Spear	
Davis	Kronebusch	Peterson, C. C.	Stern	

Those who voted in the negative were:

Bernhagen	Johnson	Olhoft	Renneke	Ulland
Frederick	Knutson	Peterson, D. L.	Rued	
Frederickson	Lindgren	Pillsbury	Taylor	

So the bill passed and its title was agreed to.

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.

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 65 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

H.F. No. 2134: 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.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 49 and nays 15, as follows:

Those who voted in the affirmative were:

Bang	Engler	Langseth	Peterson, R. W.	Stern
Belanger	Frederick	Lantry	Petty	Stokowski
Benson	Hanson	Lessard	Pillsbury	Stumpf
Berglin	Hughes	Lindgren	Purfeerst	Taylor
Bertram	Humphrey	Luther	Ramstad	Tennessee
Brataas	Johnson	Moe, D. M.	Setzepfandt	Ulland
Dahl	Knoll	Moe, R. D.	Sieloff	Vega
Davies	Knutson	Nelson	Sikorski	Waldorf
Dicklich	Kroening	Pehler	Solon	Willet
Dieterich	Kronebusch	Penny	Spear	

Those who voted in the negative were:

Berg	Davis	Kamrath	Peterson, C. C.	Rued
Bernhagen	Frank	Menning	Peterson, D. L.	Schmitz
Chmielewski	Frederickson	Olhoft	Renneke	Wegener

So the bill passed and its title was agreed to.

H.F. No. 2077: 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.

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

So the bill passed and its title was agreed to.

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.

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 5, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Davies	Menning	Peterson, C. C.	Renneke	Sieloff
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So the bill passed and its title was agreed to.

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.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 58 and nays 5, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Knutson	Menning	Olhoft	Peterson, C. C.	Renneke
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So the bill passed and its title was agreed to.

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.

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 64 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

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.

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

So the bill passed and its title was agreed to.

H.F. No. 1652: 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.

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 4, as follows:

Those who voted in the affirmative were:

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

Ms. Berglin; Messrs. Petty, Spear and Vega voted in the negative.

So the bill passed and its title was agreed to.

H.F. No. 1831: 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.

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 64 and nays 1, as follows:

Those who voted in the affirmative were:

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

Mr. Chmielewski voted in the negative.

So the bill passed and its title was agreed to.

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.

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 64 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

H.F. No. 2011: A bill for an act relating to commerce; motor vehicle sale and distribution; providing for the termination or cancellation of franchise agreements and certain payments to be made by manufacturers in the event

thereof; specifying certain circumstances establishing good cause for entering into or relocating an additional franchise for the same line make; amending Minnesota Statutes 1981 Supplement, Sections 80E.03, Subdivision 8; 80E.07, Subdivision 1; 80E.09, Subdivisions 1, 2 and 3; 80E.11, Subdivisions 2 and 6; and 80E.14, Subdivision 2; and proposing new law coded in Minnesota Statutes, Chapter 80E.

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:

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

So the bill passed and its title was agreed to.

S.F. No. 1682: A bill for an act relating to local government; permitting various leases and installment purchases of equipment; providing for their tax and fiscal treatment; amending Minnesota Statutes 1980, Sections 168.012, by adding a subdivision; 297B.03; and 465.71; Minnesota Statutes 1981 Supplement, Section 297A.25, Subdivision 1.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 63 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

H.F. No. 1283: A bill for an act relating to crimes; lengthening the statute of limitations for prosecutions for certain crimes; amending Minnesota Statutes

1980, Section 628.26.

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 64 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

H.F. No. 560: A bill for an act relating to courts; costs and disbursements; authorizing the awarding of attorney's fees in certain actions or proceedings; amending Minnesota Statutes 1980, Section 549.21.

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 65 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

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.

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

So the bill passed and its title was agreed to.

S.F. No. 588: A bill for an act proposing an amendment to the Minnesota Constitution, Article XIV, Section 11; revising certain restrictions on highway bonds.

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 3, as follows:

Those who voted in the affirmative were:

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

Messrs. Davies; Moe, D.M. and Olhoft voted in the negative.

So the bill passed and its title was agreed to.

S.F. No. 2127: A bill for an act memorializing the President and Congress of the United States to take immediate steps to curb the sources of acid rain.

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

So the bill passed and its title was agreed to.

H.F. No. 1573: A bill for an act relating to crimes; prohibiting the manufacture, sale, transfer and delivery of simulated controlled substances; prohibiting their manufacture, sale, transfer and delivery; providing penalties; amending Minnesota Statutes 1980, Sections 152.09, Subdivision 1; 152.15, by adding a subdivision; proposing new law coded in Minnesota Statutes, Chapter 152.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 58 and nays 6, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Brataas	Knoll	Knutson	Moe, D. M.	Ulland
Dieterich				

So the bill passed and its title was agreed to.

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.

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 2, as follows:

Those who voted in the affirmative were:

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

Messrs. Kamrath and Lessard voted in the negative.

So the bill passed and its title was agreed to.

H.F. No. 1092: A bill for an act relating to charitable organizations; providing for registration and reporting requirements applicable to certain charitable organizations; amending Minnesota Statutes 1980, Sections 309.52, by adding subdivisions; 309.53, by adding subdivisions; 309.532, by adding a subdivision; and 309.534, by adding a subdivision.

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 64 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

Without objection, remaining on the Order of Business of Motions and Resolutions, the Senate proceeded to the Order of Business of Introduction and First Reading of Senate Bills.

INTRODUCTION AND FIRST READING OF SENATE BILLS

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

Mr. Davies introduced—

S.F. No. 2220: A bill for an act relating to unclaimed property; enacting the Uniform Unclaimed Property Act 1981; amending Minnesota Statutes 1980, Sections 149.12; and 624.68; and Minnesota Statutes 1981 Supplement, Sec-

tion 80C.03; proposing new law coded in Minnesota Statutes, Chapter 345; repealing Minnesota Statutes 1980, Sections 345.31 to 345.41; 345.42, as amended; 345.43 to 345.525; 345.53, as amended; and 345.54 to 345.60; and Minnesota Statutes 1981 Supplement, Section 345.381.

Referred to the Committee on Commerce.

Mrs. Lantry, Mr. Renneke and Ms. Berglin introduced—

S.F. No. 2221: A bill for an act relating to health; providing benefits for the services of a clinical specialist in psychiatric/mental health nursing; amending Minnesota Statutes 1981 Supplement, Section 62A.152, Subdivision 2.

Referred to the Committee on Commerce.

Mrs. Lantry, Mr. Renneke and Ms. Berglin introduced—

S.F. No. 2222: A bill for an act relating to insurance; requiring health insurance benefits to include services of a registered nurse; proposing new law coded in Minnesota Statutes, Chapter 62A.

Referred to the Committee on Commerce.

CONFERENCE COMMITTEE EXCUSED

Pursuant to Rule 21, Mr. Johnson moved that the following members be excused for a Conference Committee on H.F. No. 1872:

Messrs. Johnson, Hanson, Ms. Berglin, Messrs. Sieloff and Setzepfandt. The motion prevailed.

MOTIONS AND RESOLUTIONS - CONTINUED

Mr. Willet moved that H.F. No. 2136 be taken from the table. The motion prevailed.

SUSPENSION OF RULES

Mr. Willet moved that an urgency be declared within the meaning of Article IV, Section 19, of the Constitution of Minnesota, with respect to H. F. No. 2136 and that the rules of the Senate be so far suspended as to give H. F. No. 2136 its second and third reading and place it on its final passage. The motion prevailed.

H.F. No. 2136: A bill for an act relating to public improvements; authorizing the acquisition and betterment of public land and buildings and other public improvements of a capital nature with certain conditions; authorizing issuance of state bonds; fixing the boundaries of state parks and trails; appropriating money; amending Minnesota Statutes 1980, Sections 16.826; 85.015, Subdivisions 8 and 13; 86.72, Subdivision 1; 121.21, Subdivision 4a; proposing new law coded in Minnesota Statutes, Chapter 84.

H.F. No. 2136 was read the second time.

Mr. Willet moved to amend H.F. No. 2136 as follows:

Delete everything after the enacting clause, and delete the title, of H.F. No.

2136, and insert the language after the enacting clause, and the title, of S.F. No. 2216, as introduced.

The motion prevailed. So the amendment was adopted.

H.F. No. 2136 was read the third time, as amended, and placed on its final passage.

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

The roll was called, and there were yeas 50 and nays 2, as follows:

Those who voted in the affirmative were:

Bang	Frederick	Lindgren	Peterson, D. L.	Spear
Belanger	Frederickson	Luther	Peterson, R. W.	Stern
Bernhagen	Hughes	Menning	Petty	Stokowski
Chmielewski	Humphrey	Moe, D. M.	Pillsbury	Stumpf
Dahl	Knutson	Moe, R. D.	Purfeerst	Taylor
Davies	Kroening	Nelson	Ramstad	Tennessen
Davis	Kronebusch	Olhoft	Renneke	Ulland
Dicklich	Langseth	Pehler	Rued	Waldorf
Dietrich	Lantry	Penny	Schmitz	Wegener
Engler	Lessard	Peterson, C. C.	Sikorski	Willet

Messrs. Benson and Kamrath voted in the negative.

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

Mr. Willet moved that S.F. No. 2216 be laid on the table. The motion prevailed.

MOTIONS AND RESOLUTIONS - CONTINUED

Mr. Purfeerst moved that S.F. No. 155 be taken from the table. The motion prevailed.

Mr. Purfeerst moved that the Senate do not concur in the amendments by the House to S. F. No. 155, and that a Conference Committee of 3 members be appointed by the Subcommittee on Committees on the part of the Senate, to act with a like Conference Committee to be appointed on the part of the House. The motion prevailed.

SUSPENSION OF RULES

Mr. Moe, R.D. moved, pursuant to Joint Rule 3.01, to suspend Joint Rule 2.03. The motion prevailed.

Remaining on the Order of Business of Motions and Resolutions, Mr. Moe, R.D. moved that the Senate take up the General Orders Calendar. The motion prevailed.

GENERAL ORDERS

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

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

S.F. No. 198 and H.F. Nos. 1579, 1803 and 1743, which the committee

recommends to pass.

H.F. No. 685, which the committee recommends to pass with the following amendment offered by Mr. Lessard:

Amend the amendment placed on H.F. No. 685 by the Committee on Judiciary, adopted by the Senate March 3, 1982, as follows:

Subdivision 3, first line, delete "*Upon approval of the prosecuting*"

Subdivision 3, delete the second line

After subdivision 3, insert:

"Subd. 4. If the recovered property has a value in excess of \$150, then the owner shall retain possession for at least 14 days to allow the defense attorney to examine the property."

The motion prevailed. So the amendment to the amendment was adopted.

H.F. No. 1993, which the committee recommends to pass with the following amendment offered by Mr. Stumpf:

Page 1, line 21, strike "ten" and insert "five"

The motion prevailed. So the amendment was adopted.

S.F. No. 1738, which the committee recommends to pass with the following amendment offered by Mr. Olhoft:

Page 1, after line 8, insert:

"Section 1. Minnesota Statutes 1980, Section 617.241, is amended to read:

617.241 [OBSCENE MATERIALS; DISTRIBUTION PROHIBITED; PENALTY.]

It is unlawful for any person knowingly to exhibit, sell, print, offer to sell, give away, circulate, publish, distribute, or attempt to distribute any obscene book, magazine, pamphlet, paper, writing, card, advertisement, circular, print, picture, photograph, motion picture film, play, image, instrument, statue, drawing, or other article which is obscene. "Obscene" for the purpose of this section, is defined as follows: Whether to the average person, applying contemporary community standards, the dominant theme of the material taken as a whole appeals to prurient interests.

Any person violating any provision of this section shall be fined ~~not less than \$20 nor more than \$100 for each~~ up to \$5,000 for the first offense and up to \$10,000 for the second or a subsequent offense."

Page 3, line 16, delete "and 2" and insert "to 3"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 3, after the semicolon, insert "increasing the fines for distribution of obscene material;"

Page 1, line 4, delete "Section" and insert "Sections 617.241; and"

The motion prevailed. So the amendment was adopted.

S.F. No. 1451, which the committee recommends to pass with the following

amendment offered by Mr. Lessard:

Page 1, after line 17, insert:

“Section 1. Laws 1981, Chapter 291, Section 2, Subdivision 1, is amended to read:

Subdivision 1. [ESTABLISHMENT.] A ~~waste water treatment sanitary sewer board~~ called the North Koochiching ~~county waste water treatment sanitary sewer board~~ with jurisdiction in the ~~International Falls, South International Falls and Ranier municipalities and the East Koochiching county sewer district and the Papermakers sewer district~~ North Koochiching area sanitary district is established as a public corporation and political subdivision with all the rights, powers, privileges, immunities and duties which may be granted to or imposed upon a municipal corporation.

Sec. 2. Laws 1981, Chapter 291, Section 2, is amended by adding a subdivision to read:

Subd. 1a. [DISTRICT.] The North Koochiching area sanitary district is the International Falls, South International Falls and Ranier municipalities and the East Koochiching county sewer district and the Papermakers sewer district, except that if the conditions in subdivision 10 as added by section 4 of this act are not met, after December 31, 1985, the north Koochiching area sanitary district shall then be the area served by the district disposal system on that date.

Sec. 3. Laws 1981, Chapter 291, Section 2, Subdivision 2, is amended to read:

Subd. 2. [MEMBERS AND SELECTIONS.] The board members shall be appointed by each of their governmental units in the following numbers:

International Falls 4

South International Falls 2

East Koochiching county sewer district 1

Papermakers sewer district 1

Ranier 1

The East Koochiching and Papermakers sewer districts shall each appoint their member on the board and designate the term of the member in accordance with subdivision 5, by a majority vote. *If the conditions in subdivision 10 as added by section 4 of this act are not met, after December 31, 1985 the composition of the board shall be changed, with each local government unit remaining in the district appointing one board member.*

Sec. 4. Laws 1981, Chapter 291, Section 2, is amended by adding a subdivision to read:

Subd. 10. [CONDITIONS; APPOINTMENT OF ENGINEER; BOARD COMPOSITION.] If before January 1, 1986, the state or federal governments have not offered grants for at least 70 percent of the estimated grant eligible cost, or the board has not advertised for bids for construction, of all interceptors and treatment works which the comprehensive plan adopted pursuant to Laws 1981, Chapter 291, Section 4 identifies as critical to the integrity of the district, then:

(a) The board shall appoint an independent consulting engineer who shall determine the actual value, as of January 1, 1982, of all real and personal property transferred to the board pursuant to Laws 1981, Chapter 291, Section 5, Subdivision 2, Clause (a) as amended by section 6 of this act.

(b) After appointing the independent consulting engineer, the composition of the board shall be changed to comply with Laws 1981, Chapter 291, Section 2, Subdivision 2.

Sec. 5. Laws 1981, Chapter 291, Section 4, Subdivision 1, is amended to read:

Subdivision 1. [BOARD PLAN AND PROGRAM.] The board shall adopt as its first comprehensive plan for the collection, treatment and disposal of waste water in the district for the period the board deems proper the comprehensive plan adopted by the joint powers board previously established for the cities of International Falls, South International Falls, and Ranier and the county of Koochiching by agreement pursuant to Minnesota Statutes, Section 471.59. The board shall prepare and adopt subsequent comprehensive plans for the collection, treatment and disposal of waste water in the district for each succeeding designated period the board deems proper. The first plan, as modified by the board, and any subsequent plan, *shall provide that no treatment facilities shall be constructed which would allow a discharge above the water intake used to supply drinking water to residents of the district, and shall take into account the preservation and best and most economic use of water and other natural resources in the area; the preservation, uses and potential for use of lands adjoining waters of the state to be used for the disposal of waste water; and the impact the disposal system will have on present and future land use in the area affected.* Plans shall include the general location of needed interceptors and treatment works, a description of the area that is to be served by the various interceptors and treatment works, a long range capital improvements program and other details the board deems appropriate. *Plans shall specifically identify those interceptors and treatment works which are critical to the integrity of the district.* In developing the plans, the board shall consult with persons designated for the purpose by the governing body of any municipal and public corporation or governmental or political subdivision or agency within the district. It shall consider the data, resources, and suggestions offered to the board by the entities and any planning agency acting on behalf of one or more of them. Each plan, when adopted, shall be followed in the district and may be revised as often as the board deems necessary.

Sec. 6. Laws 1981, Chapter 291, Section 5, Subdivision 2, is amended to read:

Subd. 2. [METHOD OF ACQUISITION.] *(a) The board may require any local government unit to transfer to the board, without consideration, free and clear of all encumbrances, subject only to a contingent liability pursuant to section 8, subdivision 1a, as amended by section 9 of this act all of the unit's right, title, and interest in any interceptors or treatment works and their necessary appurtenances owned by the unit which are needed for the purpose stated in subdivision 1. Appropriate instruments of conveyance for all the transferred property shall be executed and delivered to the board by the proper officers of each local government unit concerned.*

(b) All persons regularly employed by a local government unit to operate

and maintain works transferred to the board on the date on which the transfer becomes effective shall be employees of the board, in the same manner and with the same options and rights as other employees of the board.

Sec. 7. Laws 1981, Chapter 291, Section 7, is amended to read:

Sec. 7. [BUDGET.]

The board shall prepare and adopt a budget, on or before ~~September 1, 1981~~ *August 1, 1982* and annually thereafter. The budget shall show for the following calendar year or other fiscal year determined by the board estimated receipts of money from all sources, including but not limited to payments by each local government unit, federal or state grants, taxes on property, and funds on hand at the beginning of the year, and estimated expenditures for:

(a) Costs of operation, administration and maintenance of the district disposal system;

(b) Costs of acquisition and betterment of the district disposal system; and

(c) Debt service, including principal and interest, on general obligation bonds and certificates issued pursuant to section 12, and any money judgments against the district.

Expenditures within these categories and others the board may determine, shall be itemized in the detail the board shall prescribe. The board and its officers, agents, and employees shall not spend money for any purpose other than debt service without having set forth the expense and its amount in the budget. No obligation to make an unbudgeted expenditure shall be enforceable except as the obligation of the person incurring it. The board may amend the budget at any time by transferring from one purpose to another any budgeted sums, except money for debt service and bond proceeds, or by increasing expenditures in any amount by which cash receipts during the budget year actually exceed the total amounts designated in the original budget. The creation of an obligation pursuant to section 12 or the receipt of a federal or state grant is a sufficient budget designation of the proceeds for the purpose for which it is authorized, and of the tax or other revenue pledged to pay the obligation, whether or not specifically included in the budget.

Sec. 8. Laws 1981, Chapter 291, Section 8, Subdivision 1, is amended to read:

Subdivision 1. [DEFINITION OF CURRENT COSTS.] The estimated cost of administration, operation, maintenance and debt service of the district disposal system to be paid by the board in a fiscal year and the estimated costs of acquisition and betterment of the system which are to be paid during the year from funds other than state or federal grants and bond proceeds and all other previously unallocated payments made by the board pursuant to this act to be allocated in the year, less any costs to be allocated to industries pursuant to subdivision 3 *and less any amounts to be received pursuant to subdivision 1a as added by section 9 of this act*, are referred to as current costs and shall be allocated by the board to the local government units in the budget for such year.

Sec. 9. Laws 1981, Chapter 291, Section 8, is amended by adding a subdivision to read:

Subd. 1a. [PAYMENT OF DIFFERENCE.] If the area of the district and the composition of the board change pursuant to section 2, after December 31,

1985 any local government unit remaining in the district shall pay in equal payments over 20 years, with interest at the rate of eight percent per annum, the proportionate difference in the value determined pursuant to Laws 1981, Chapter 291, Section 2, Subdivision 10, Clause (a), as amended by section 4 of this act. "Proportionate difference" in this subdivision means the difference in value determined in Laws 1981, Chapter 291, Section 2, Subdivision 10, as amended by section 4 of this act, divided by the number of remaining government units.

Sec. 10. Laws 1981, Chapter 291, Section 8, Subdivision 2, is amended to read:

Subd. 2. [METHOD OF ALLOCATION OF CURRENT COSTS.] All current costs shall be allocated to local government units in the district on a pro rata basis determined by the effluent contributed by each, less any industrial wastes for which costs have been allocated under subdivision 3, calculated on the basis of flow measurement. The projected pro rata contribution of effluent shall be made on or before ~~September 1, 1981~~ August 1, 1982 and annually thereafter. An adjustment shall be made on or before February 1 of each succeeding year based upon the actual effluent contributed by each government entity. The adjustments shall be paid to the district or to the proper local government units. It also may be corrected by deduction from or addition to subsequent payments. The adoption or revision of a method of allocation used by the board shall be by the affirmative vote of at least two-thirds of the members of the board.

Sec. 11. Laws 1981, Chapter 291, Section 24, is amended to read:

Sec. 24. [EFFECTIVE DATE; LOCAL APPROVAL.]

~~This act Laws 1981, Chapter 291, is effective in the local government units named in section 23 upon approval by all of the government units named in section 23 and upon compliance with Minnesota Statutes, Section 645.021, Subdivision 3; the day after final enactment of sections 1 to 11 of this chapter, pursuant to Minnesota Statutes, Section 645.023, Subdivision 1, clause (a)."~~

Page 5, line 1, delete "3 and 4" and insert "14 and 15"

Page 5, line 12, delete "7 to 14" and insert "18 to 25"

Page 5, line 16, delete "9" and insert "20"

Page 5, line 19, delete "7 to 14" and insert "18 to 25"

Page 5, lines 29 and 30, delete "7 to 14" and insert "18 to 25"

Page 6, line 24, delete "9" and insert "20"

Page 6, line 32, delete "10" and insert "21"

Page 6, line 34, delete "11" and insert "22"

Page 7, line 30, delete "9" and insert "20"

Page 8, line 17, delete "7 to 14" and insert "18 to 25"

Page 8, line 25, delete "7 to 14" and insert "18 to 25"

Page 8, line 27, delete "7 to 14" and insert "18 to 25"

Page 9, line 30, delete "14" and insert "25"

Page 10, line 22, delete "7" and insert "18"

Page 10, line 23, delete "14" and insert "25"

Page 11, line 2, delete "10" and insert "21"

Page 11, line 34, delete "10" and insert "21"

Page 12, line 20, delete "10 and 11" and insert "21 and 22"

Page 12, line 27, delete "10 and 11" and insert "21 and 22"

Page 12, line 33, delete "10 and 11" and insert "21 and 22"

Page 12, lines 35 and 36, delete "10 and 11" and insert "21 and 22"

Page 13, line 2, delete "10" and insert "21"

Page 14, line 26, delete "10" and insert "21"

Page 15, line 16, delete "7 to 14" and insert "18 to 25"

Page 15, line 17, delete "10" and insert "21"

Page 17, line 6, delete "7 to 14" and insert "18 to 25"

Renumber the sections in sequence

Page 17, after line 7, insert:

"Sec. 27. [EFFECTIVE DATE.]

Sections 1 to 11 are effective the day after final enactment."

Amend the title as follows:

Page 1, line 7, after "organizations;" insert "establishing provision for the event that grant funding is not received for the North Koochiching area sanitary district;"

Page 1, line 13, after the second semicolon insert "Laws 1981, Chapter 291, Section 2, Subdivisions 1, 2, and by adding subdivisions; 4, Subdivision 1; 5, Subdivision 2; 7; 8, Subdivisions 1, 2, and by adding a subdivision; and 24;"

The motion prevailed. So the amendment was adopted.

H.F. No.1278, which the committee reports progress, subject to the following motion:

Mr. Peterson, C.C. moved to amend H.F. No. 1278, as amended pursuant to Rule 49, adopted by the Senate March 8, 1982, as follows:

(The text of the amended House File is identical to S.F. No.1234.)

Page 1, line 18, after "instrumentality" insert " , provided that the views of elected appointing authorities who shall have standing to initiate interest arbitration, and who are responsible for the selection, direction, discipline, and discharge of individual employees shall be considered by the employer in the course of the discharge of their rights and duties under section 179.61 to 179.76"

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 24 and nays 18, as follows:

Those who voted in the affirmative were:

Bang	Dahl	Kronebusch	Merriam	Ramstad
Belanger	Davis	Langseth	Pehler	Rued
Benson	Engler	Lessard	Penny	Sieloff
Berg	Frederickson	Lindgren	Peterson,C.C.	Taylor
Bertram	Hanson	Menning	Peterson,D.L.	

Those who voted in the negative were:

Berglin	Frank	Lantry	Petty	Stumpf
Chmielewski	Knoll	Luther	Solon	Vega
Davies	Knutson	Moe, D. M.	Spear	
Dicklich	Kroening	Peterson, R. W.	Stokowski	

The motion prevailed. So the amendment was adopted.

H.F. No. 1278 was then progressed.

H.F. No. 1699, which the committee recommends to pass with the following amendment offered by Mr. Rued:

Page 1, line 18, after the period, insert "*The main focus of the program shall be in building positive self-esteem in students. The program shall center not on the subject of drugs but on the problems of youth which lead to chemical abuse.*"

The motion prevailed. So the amendment was adopted.

H.F. No. 1799, which the committee recommends to pass with the following amendments, offered by Messrs. Chmielewski, Hanson and Solon:

Mr. Chmielewski moved to amend H.F. No. 1799, as amended pursuant to Rule 49, adopted by the Senate March 8, 1982, as follows:

(The text of the amended House File is identical to S.F. No. 1794.)

Page 2, line 33, strike "", excluding home health services,"

Page 3, line 1, before the semicolon, insert "*. This clause does not apply to home health services or establishment of other services that are not reviewable under paragraph (a) (2)*"

The motion prevailed. So the amendment was adopted.

Mr. Hanson moved to amend H. F. No. 1799, as amended pursuant to Rule 49, adopted by the Senate March 8, 1982, as follows:

(The text of the amended House File is identical to S. F. No. 1794.)

Page 2, after line 3, insert:

"Sec. 2. Minnesota Statutes 1980, Section 144A.04, Subdivision 5, is amended to read:

Subd. 5. Except as otherwise provided by this subdivision, a nursing home must have a full time licensed nursing home administrator serving the facility. In any nursing home of less than 25 beds, the director of nursing services may also serve as the licensed nursing home administrator. Two nursing homes having a total of 100 beds or less and located within 50 miles of each other may share the services of a licensed administrator if the administrator divides his full time work week between the two facilities in proportion to the number of beds in each facility. Every nursing home shall have a person-in-charge on the premises at all times in the absence of the licensed administrator. The name of the person in charge must be posted in a conspicuous place in the facility. The commissioner of health shall by rule promulgate minimum education and experience requirements for persons-in-charge, and may promulgate rules specifying the times of day during which a licensed administrator must be on the nursing home's premises. A nursing home may employ as its administrator the ~~registered~~ administrator of a hospital licensed pursuant to sections 144.50

to 144.56 if the individual is licensed as a nursing home administrator pursuant to section 144A.20 and the nursing home and hospital have a *combined* total of 150 beds or less; ~~are under the same governing body~~ and are located within ~~one-half~~ one mile of each other. A nursing home which is located in a facility licensed as a hospital pursuant to sections 144.50 to 144.56, may employ as its administrator the ~~registered~~ administrator of the hospital if the individual meets minimum education and long term care experience criteria set by rule of the commissioner of health."

Page 13, line 12, delete "5, 9 and 10" and insert "6, 10, and 11"

Page 13, line 13, delete "6 to 8 and 11" and insert "7 to 9 and 12"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 2, after the semicolon, insert "allowing certain nursing homes and hospitals to share an administrator;"

Page 1, line 7, after "Sections" insert "144A.04, Subdivision 5;"

The motion prevailed. So the amendment was adopted.

Mr. Solon moved to amend H. F. No. 1799, as amended pursuant to Rule 49, adopted by the Senate March 8, 1982, as follows:

(The text of the amended House File is identical to S. F. No. 1794.)

Page 12, line 34, delete "*Janaury*" and insert "*January*"

The motion prevailed. So the amendment was adopted.

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

Without objection, the Senate reverted to the Order of Business of Reports of Committees.

REPORTS OF COMMITTEES

Mr. Sikorski moved that the Committee Reports at the Desk be now adopted with the exception of the report on H.F. No. 1532. The motion prevailed.

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

H.F. No. 1532: A bill for an act relating to tort actions; prohibiting the causes of action for wrongful life and wrongful birth; prohibiting a defense, an award of damages, or a penalty based on the failure or refusal to prevent a live birth; proposing new law coded in Minnesota Statutes, Chapter 145.

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

Delete everything after the enacting clause and insert:

"Section 1. [604.06] [RESTRICTION ON TORT ACTIONS AND DEFENSES.]

No person shall maintain a cause of action or receive an award of damages on behalf of himself based on the claim that he should or would have been

aborted. That a person does not have an abortion is not a defense nor a factor in mitigation of damages in any action."

Amend the title as follows:

Page 1, line 2, delete "the"

Page 1, line 3, delete "and wrongful birth"

Page 1, line 4, delete the first comma and insert "or"

Page 1, line 4, delete ", or a"

Page 1, line 5, delete "penalty"

Page 1, line 7, delete "145" and insert "604"

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

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

H.F. No. 603: A bill for an act relating to eminent domain; limiting the authority to acquire certain property by condemnation; repealing certain obsolete provisions of law authorizing acquisition by condemnation; changing certain obsolete language; amending Minnesota Statutes 1980, Sections 84.033; 84.154, Subdivision 3; 84A.10; 84A.39; 84A.55, Subdivision 13; 85.015, Subdivisions 12 and 13; 88.09, Subdivision 2; 89.032, Subdivision 1; 105.39, Subdivision 4; 123.64; 136.65, Subdivision 1; 137.01, Subdivision 2; 137.02, Subdivisions 1 and 3; 190.11; 193.143; 193.144, Subdivisions 2 and 3; 459.06, Subdivision 1; 463.03; and 641.263, Subdivision 2; repealing Minnesota Statutes 1980, Sections 38.05; 85A.02, Subdivision 6; 117.31; 123.40, Subdivision 6; 123.63; 161.29; 163.12; 193.144, Subdivision 4; and 308.39.

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 84.033, is amended to read:

84.033 [SCIENTIFIC AND NATURAL AREAS.]

The commissioner of natural resources may acquire by gift, lease, easement, or purchase, in the manner prescribed under chapter 117, in the name of the state, lands or any interest in lands suitable and desirable for establishing and maintaining scientific and natural areas. The commissioner shall designate any land ~~so~~ acquired as a scientific and natural area and shall administer ~~any land so acquired and designated~~ it as provided by section 86A.05, subdivision 5. *The commissioner shall obtain approval from the governor before instituting condemnation proceedings under this section.*

Sec. 2. Minnesota Statutes 1980, Section 84.154, Subdivision 3, is amended to read:

Subd. 3. [POWERS OF COMMISSIONER.] The commissioner of natural resources may (1) use for any ~~project herein~~ authorized *project* any land of the state under his jurisdiction or control ~~so far as if the use is not inconsistent~~

consistent with the laws governing the same, may it, (2) acquire by purchase, or gift, or condemnation any additional lands or interests in lands required for such the projects, including lands or interests in adjacent states if authorized by the their laws thereof, may, (3) accept gifts or grants of money or property from the United States or any other source for such the projects, may (4) use and apply any money or property so received in accordance with the terms of the gift or grant so far as if the use is not inconsistent consistent with the provisions of this act or other laws state law, may (5) act in behalf of the state as sponsor for any such project undertaken or authorized by the United States, may (6) make any sponsor's contributions required for any such project out of moneys appropriated by Laws 1943, Chapter 476, or otherwise made available therefor for it, and may (7) cooperate with the United States or any adjacent state or any authorized agency of either in constructing, maintaining and operating any such project upon such the terms and conditions as he may deem deems proper not inconsistent if it is consistent with the laws of this state.

Sec. 3. Minnesota Statutes 1980, Section 84A.10, is amended to read:

84A.10 [EMINENT DOMAIN ACQUISITION OF LAND.]

The department is hereby authorized and empowered to may acquire, by exercise of the right of eminent domain, which right is hereby given it, to be exercised in the manner provided in chapter 117, or by gift or purchase, any lands or interests in lands in this preserve and hunting ground which the department shall deem deems necessary for state ownership, use, or development for the purposes of sections 84A.01 to 84A.11. No moneys shall be used for the purposes specified in this section until and unless the department shall have determined determines that such the moneys will not be required to meet the requisitions of the counties authorized under section 84A.04, or for payment of principal and interest on certificates of indebtedness and interest thereon.

Sec. 4. Minnesota Statutes 1980, Section 84A.39, is amended to read:

84A.39 [DEPARTMENT SHALL HAVE RIGHT OF EMINENT DOMAIN MAY ACQUIRE LANDS.]

The department is hereby authorized and empowered to may acquire by exercise of the right of eminent domain, which right is hereby given it, to be exercised in the manner provided in chapter 117, or by gift or purchase, any privately-owned lands or interests in lands within the boundaries of any such project which it shall deem deems necessary for state ownership, use, or development for the purposes of sections 84A.31 to 84A.42; provided, that . No moneys shall be used for the purposes specified in this section until and unless the department and the commissioner of finance shall have determined determine that such the moneys will not be required to meet the requisitions of the counties authorized under section 84A.33 or for the payment of principal and interest on certificates of indebtedness and interest thereon herein provided for.

Sec. 5. Minnesota Statutes 1980, Section 84A.55, Subdivision 13, is amended to read:

Subd. 13. [LAND ACQUISITION.] The commissioner may acquire by gift or purchase or condemnation any land or interest therein in land or any public work or project or right therein in it which may be necessary for any authorized purpose herein authorized.

Sec. 6. Minnesota Statutes 1980, Section 88.09, Subdivision 2, is amended

to read:

Subd. 2. [PURCHASE, LEASE, OR CONDEMNATION.] *If no suitable state lands are available, the commissioner may on behalf of the state, where no suitable state lands are available, purchase, lease or acquire easements on small tracts or parcels of lands, not exceeding 40 acres in area, or costing more than \$1500 for any single tract, to . The land acquired shall be used as locations for fire lookout towers, warehouses, or other buildings of any kind, or as locations for fire-breaks, or for any other use which he may deem deems suitable; . He may also acquire by condemnation any tract of land, not exceeding 40 acres, for these purposes; . He may also acquire, by gift, purchase, or condemnation, any easement or right of way that may be necessary to provide access to any tract of land so acquired. The commissioner shall obtain approval from the governor before instituting condemnation proceedings under this section.*

Sec. 7. Minnesota Statutes 1980, Section 89.032, Subdivision 1, is amended to read:

Subdivision 1. [LAND ACQUISITION.] The commissioner may acquire ~~administrative sites or~~ rights of way by eminent domain, in the manner provided by law, or by purchase any lands or interest in lands in the state forests as created by law, which he ~~shall deem~~ deems necessary for state use, and development. *The commissioner shall obtain approval from the governor before instituting condemnation proceedings under this section.*

Sec. 8. Minnesota Statutes 1980, Section 105.39, Subdivision 4, is amended to read:

Subd. 4. [POWER TO ACQUIRE PROPERTY; EMINENT DOMAIN.] The commissioner ~~shall have the power to~~ may acquire title to any private property for any authorized purpose by purchase or by the exercise of the right of eminent domain; ~~and~~ . The use of ~~such the~~ property in the furtherance of lawful projects under sections 105.37 to 105.55 is ~~hereby~~ declared to be a public purpose. On request by the commissioner, the attorney general shall ~~proceed to~~ acquire the necessary title to private property for ~~such~~ use under the provisions of ~~Minnesota Statutes 1945, chapter 117.~~ *The commissioner shall obtain approval from the governor before instituting condemnation proceedings under this subdivision.*

Sec. 9. Minnesota Statutes 1980, Section 123.64, is amended to read:

123.64 [AGRICULTURAL EDUCATION.]

The board of any district in which instruction in agriculture is afforded is ~~authorized and empowered to~~ may purchase or otherwise acquire by condemnation proceedings as provided for acquiring schoolhouse sites in the name and in behalf of ~~such district;~~ a suitable tract of land either within or without the limits of ~~such the~~ district to be used for the purpose of instruction, experimentation, and demonstration in agriculture. The provisions of this section shall also apply as well to districts organized under special acts as ~~under the general laws,~~ notwithstanding any provisions or restrictions in the laws under which ~~the same they~~ are organized.

Sec. 10. Minnesota Statutes 1980, Section 136.65, Subdivision 1, is amended to read:

Subdivision 1. [LAND SITES.] A city, county, school district, or unorganized territory, or other body corporate and politic may, ~~either~~ jointly or severally, acquire by gift, or purchase, ~~or condemnation~~ a site for a community college if the site has been designated by the state board for community colleges as the site of a community college, ~~and~~ . It may convey ~~any such the~~ site to the state ~~of Minnesota~~ for community college purposes. Any of the governmental instrumentalities named in this section may convey to the state board for community colleges for community college purposes any of its lands not needed for its purposes, if ~~such the~~ lands are included in a site designated by the state board for community colleges as the site of a community college.

Sec. 11. Minnesota Statutes 1980, Section 137.01, Subdivision 2, is amended to read:

Subd. 2. [HOW USED.] If the purposes of the gift, grant, devise, or bequest are not otherwise limited by the donor, the University of Minnesota may use ~~the same it~~, or the proceeds ~~thereof from it~~, for any of the purposes of the university and may, among other things, construct buildings and acquire lands. ~~In case it is desired to use the same for the acquisition of land, the power of eminent domain may be exercised in accordance with chapter 417.~~

Sec. 12. Minnesota Statutes 1980, Section 137.02, Subdivision 1, is amended to read:

Subdivision 1. [TRANSPORTATION BETWEEN UNIVERSITY CAMPUS AND FARM.] The board of regents is ~~hereby~~ authorized to provide adequate means for ~~safe, convenient, and rapid~~ (1) the transportation of persons, supplies, and materials between the university farm and the university campus ~~and~~ , (2) the transportation of persons ~~from between~~ intermediate points ~~to either and the university campus or the university farm and from the university campus or university farm to intermediate points and for~~ , and (3) the transportation of supplies and materials to and from the university farm by means of a connection with the belt line railway operated by the Minnesota Transfer Railway Company; ~~and to that end~~ . The board of regents is ~~hereby~~ authorized to (1) acquire by gift, purchase, ~~condemnation~~, or otherwise ~~such the rights-of-way as may be deemed necessary and to~~ , (2) construct, maintain, and operate lines of railway ~~thereon on them, and to make such contracts~~ (3) ~~contract~~ with any railway company for trackage rights, track connections, and motive power or for the hiring of rolling stock or for the operation of ~~the same as may be found necessary or expedient in carrying out the provisions of it to implement~~ this subdivision. The board of regents shall prescribe the rate of fares ~~which shall to be charged for the transportation of persons; which~~ . The fares ~~when~~ collected shall be kept in a separate fund and used to defray the expense of maintaining and operating ~~such the~~ railway.

Sec. 13. Minnesota Statutes 1980, Section 137.02, Subdivision 3, is amended to read:

Subd. 3. [POWER OF EMINENT DOMAIN GRANTED PURCHASE OF LAND.] The board of regents may use any money not specifically appropriated for other purposes for acquiring land by purchase ~~or condemnation~~. ~~In case it is desired to use the fund for the acquisition of land by eminent domain, the power of eminent domain shall be exercised in accordance with chapter 417.~~

Sec. 14. Minnesota Statutes 1980, Section 190.11, is amended to read:

190.11 [CAMP GROUNDS AND MILITARY RESERVATIONS.]

The adjutant general shall have charge of the camp grounds and military reservations of the state ~~and . He shall be responsible for the their protection and safety thereof, and . He shall promulgate regulations rules for the maintenance of order thereon for them, for the enforcement of traffic rules and for all other lawful regulations as may be ordered for the operation, care and preservation of existing facilities and installations on all state military reservations.~~

He shall ~~keep in~~ repair all state buildings, and other improvements ~~thereon on them~~, including water pipes laid by the state on highways leading ~~thereto to them~~, and ~~of~~ all military property connected with the grounds. He may make ~~such~~ further improvements ~~thereon~~ as the good of the service requires ~~re-~~quired.

Private property may be acquired by condemnation, upon the application of the adjutant general, for camp ground, rifle range, and other military purposes. All damages, cost, and expense incurred in condemning such property shall be paid by the state treasurer, upon certificate of the adjutant general and warrant of the commissioner of finance, from any unexpended balance of the military fund after meeting the demands of the national guard.

Sec. 15. Minnesota Statutes 1980, Section 193.143, is amended to read:

193.143 [STATE ARMORY BUILDING COMMISSION, POWERS.]

Subdivision 1. [GENERAL POWERS.] ~~Such~~ The corporation, subject to the conditions and limitations prescribed in provisions of sections 193.141 to 193.149, shall possess ~~has~~ all the powers of a body corporate necessary and convenient to accomplish the objectives and perform the duties prescribed by sections 193.141 to 193.149, including the following, which shall not be construed as a limitation upon the general powers hereby conferred , but not limited to, the power:

(1) To acquire by lease, purchase, or gift ~~or condemnation proceedings~~ all necessary right, title and interest in ~~and to~~ the lands required for a site for a new armory and all other real or personal property required for the purposes contemplated by the military code ~~and ; to hold and dispose of the same, subject to the conditions and limitations herein prescribed; provided that lands and property.~~ Any ~~such~~ real or personal property or interest ~~therein in it~~ may be ~~so~~ acquired or accepted subject to any condition which may be imposed ~~thereon on it~~ by the grantor or donor and agreed to by ~~such the~~ corporation ~~not inconsistent~~ consistent with the proper use of ~~such the~~ property by the state for armory or military purposes as ~~herein provided.~~

(2) To exercise the right of eminent domain in the manner provided by chapter 117, for the purpose of acquiring any property which such corporation is herein authorized to acquire by condemnation; provided, that the corporation may take possession of any such property so to be acquired at any time after the filing of the petition describing the same in condemnation proceedings; provided further, that this shall not preclude the corporation from abandoning the condemnation of any such property in any case where possession thereof has not been taken.

~~(3)~~ (2) To construct and equip new armories as authorized herein; to pay ~~therefor for them~~ out of the funds ~~obtained as hereinafter provided and ; to hold, manage, and dispose of such the~~ armory, equipment, and site as ~~herein-~~after provided. The total amount of bonds issued ~~on account of such for~~ armories shall not exceed the amount of ~~the their~~ cost thereof; ~~provided also; that and the total outstanding bonded indebtedness of the commission shall not at any time exceed the aggregate sum of \$4,500,000.~~

~~(4)~~ (3) To sue and be sued.

~~(5)~~ (4) To contract and be contracted with in any matter connected with any purpose or activity within the powers of such corporations as herein specified enter into contracts; provided, that no officer or member of ~~such the~~ corporation shall be personally interested, directly or indirectly, in any contract in which ~~such the~~ corporation is interested.

~~(6)~~ (5) To employ any and all professional and non-professional services and all agents; and employees; ~~workmen and servants necessary and proper~~ for the purposes and activities of ~~such the~~ corporation as authorized or contemplated herein and to pay for the same them out of any portion of the income of the corporation available for ~~such the corporation's~~ purposes or activities. The officers and members of ~~such the~~ corporation shall not receive any compensation ~~therefrom from it~~, but may receive their reasonable and necessary expenses incurred in connection with the performance of their duties; ~~provided however, that~~ . Whenever the duties of any member of the commission require his full time and attention the commission may compensate him ~~therefor~~ at such rates as it may determine determines.

~~(7)~~ (6) To borrow money and issue bonds for the purposes and in the manner and within the limitations herein specified; ~~of armory construction and equipment~~ and to pledge any and all the property and income of ~~such the~~ corporation acquired or received as herein provided to secure the payment of ~~such the~~ bonds; subject to the provisions and limitations herein prescribed, and to redeem any ~~such the~~ bonds if so provided therein required by their terms or in the mortgage or trust deed accompanying the same them.

~~(8)~~ (7) To use for the following purposes any available moneys received by ~~such the~~ corporation from any source as herein provided in excess of those required the moneys needed for the payment of the cost of ~~such the~~ armory and for the payment of any bonds issued by the corporation and interest ~~thereon on~~ them according to the terms of ~~such the~~ bonds or of any mortgage or trust deed accompanying the same them:

(a) To pay the necessary incidental expenses of carrying on the business and activities of the corporation as herein authorized;

(b) To pay the cost of operating, maintaining, repairing, and improving ~~such~~ new armories;

(c) If any further excess moneys remain, to purchase upon the open market at or above or below the face or par value thereof any bonds issued by the corporation as herein authorized; provided, that . Any bonds so purchased repurchased shall ~~thereupon~~ be canceled.

~~(9)~~ (8) To adopt and use a corporate seal.

~~(10)~~ (9) To adopt all ~~needful~~ bylaws, rules, and regulations for the conduct of business and affairs of ~~such the~~ corporation and for the management and use of all armories while under the ownership and control of ~~such the~~ corporation as herein provided; not inconsistent with the use of ~~such armory for armory or~~ military purposes.

~~(11)~~ ~~Such~~ Subd. 2. [PROHIBITIONS.] (1) The corporation shall issue no stock.

~~(12)~~ (2) No officer or member of ~~such the~~ corporation shall have any personal share or interest in any funds or property of the corporation or be subject to any personal liability by reason of any liability of the corporation.

~~(13)~~ Subd. 3. [FUND.] (1) The Minnesota state armory building commis-

sion created under section 193.142 shall keep all moneys and credits received by it as a single fund, to be designated as the "Minnesota State Armory Building Commission Fund," with separate accounts for each armory; ~~and .~~ The commission may ~~make transfers of~~ transfer moneys from funds ~~appertain-~~ing credited to any armory under its control for use for any other ~~such~~ armory; ~~provided such .~~ The transfers shall be made only from moneys on hand; ~~from time to time;~~ in excess of the amounts required to meet payments of interest or principal on bonds or other obligations ~~appertaining to~~ of the armory to which ~~such the funds pertain are credited~~ and only when necessary to pay expenses of operation, maintenance and debt service of ~~such the~~ other armory; ~~provided further, no such .~~ The commission shall not transfer ~~of~~ any moneys paid for the support of any armory by the municipality in which ~~such the~~ armory is situated ~~shall be made by the commission.~~

(14) (2) The corporation created under section 193.142 may designate one or more state or national banks as depositories of its funds, and may provide, upon ~~such~~ any conditions as the corporation ~~may determine~~ determines, that the treasurer of the corporation shall be exempt from personal liability for loss of funds deposited in ~~any such the~~ depository due to the insolvency or other acts or omissions of ~~such the~~ depository.

(15) Subd. 4. [GOVERNOR'S POWERS.] The governor is ~~empowered to~~ may apply for grants of money, equipment and materials ~~which may be made~~ available to the states by the federal government for leasing, building and equipping armories for the use of the military forces of the state which are reserve components of the armed forces of the United States, whenever he is satisfied that the conditions under which ~~such the~~ grants are offered by the federal government, are for the best interests of the state and are ~~not inconsis-~~tent consistent with the laws of the state relating to armories; ~~and to .~~ He may accept ~~such the~~ grants in the name of the state. The Minnesota state armory building commission is designated as the agency of the state to receive ~~such the~~ grants and ~~to~~ use them for armory purposes as prescribed in this chapter, and by federal laws; and regulations ~~not inconsistent therewith~~ consistent with them.

Sec. 16. Minnesota Statutes 1980, Section 193.144, Subdivision 2, is amended to read:

Subd. 2. [ACQUISITION OF SITE; CONVEYANCE TO CORPORATION.] If ~~such a~~ county or municipality ~~shall desire~~ desires to have a new armory constructed, ~~such county or municipality~~ it may secure by purchase; or gift; ~~or condemnation;~~ and may convey to ~~such the~~ corporation, a site for ~~such the~~ new armory if it is approved as suitable ~~therefor~~ by the adjutant general. In case ~~such the~~ site or any part ~~thereof~~ of it or interest ~~therein~~ in it is owned or controlled by the board of park commissioners of ~~such the~~ county or municipality or by any other governmental agency ~~therein~~ except the state or county or municipality, ~~such the~~ board or other agency may convey ~~the same~~ it by way of gift or sale to ~~such the~~ corporation without charge.

Sec. 17. Minnesota Statutes 1980, Section 193.144, Subdivision 3, is amended to read:

Subd. 3. [OUTSTANDING OWNERSHIP OR INTEREST.] ~~In case~~ If any person or corporation except ~~such the~~ county, municipality or board of park commissioners or other governmental agency ~~hereinbefore referred to~~ shall ~~own~~ owns any lands required for ~~such the~~ site, whether provided under sub-

division 2 or under this ~~section~~ *subdivision*, or any interest in ~~any such the~~ lands which would interfere with ~~the their use thereof~~ by the state for armory or military purposes, ~~such the county or , municipality or such , board of park commissioners or other governmental agency may acquire such the lands or interest by purchase, or gift, or condemnation and may convey the same them by way of gift or sale to such the corporation; provided, that notwithstanding any such outstanding ownership or interest, such .~~ The corporation may, in its ~~discretion,~~ with the approval of the adjutant general, accept a conveyance of ~~such the lands and interests in lands for such the site as may be owned or controlled by such the county, municipality, board of park commissioners, or other governmental agency; and may or acquire by purchase, or gift, or condemnation any further lands or interests in lands that may be required for such the site.~~

Sec. 18. Minnesota Statutes 1980, Section 459.06, Subdivision 1, is amended to read:

Subdivision 1. [ACCEPT DONATIONS.] Any county, city, or town in this state, by resolution of ~~the its governing body thereof,~~ may accept donations of land that ~~such the governing body may deem~~ *deems* to be better adapted for the production of timber and wood than for any other purpose, ~~for a forest, and . It may manage the same forest on forestry principles. The donor of not less than 100 acres or more of any such land shall be entitled to may have the same it perpetually bear his or her name. The governing body of any city, or town in this state, when funds are available or have been levied therefor for it, may, when authorized by a majority vote by ballot of the voters voting at any general or special city election or town meeting where such the question is properly submitted, purchase or obtain by condemnation proceedings, and preferably at the sources of streams,~~ any tract of land for a forest which is better adapted for the production of timber and wood than for any other purpose, and which is conveniently located, *preferably at the source of a stream,* for the purpose, ~~and. It may manage the same land on forestry principles; . The selection of such the lands and the their plan of management thereof shall have the approval of be approved by the director of lands and forestry. Such The city or town is authorized to levy and collect an annual tax of not exceeding one and two-thirds mills on the dollar of its assessed real estate valuation, in addition to all other taxes authorized or permitted by law, to procure and maintain such the forests.~~

Sec. 19. Minnesota Statutes 1980, Section 463.03, is amended to read:

463.03 [ALONG PARKS AND PARKWAYS.]

Any *elected* board of park commissioners having control of any park or parkway may ~~in like manner~~ acquire building line easements along ~~the same it,~~ or any portion ~~thereof~~ *of it*.

Sec. 20. Minnesota Statutes 1980, Section 641.263, Subdivision 2, is amended to read:

Subd. 2. [ACQUISITION OF SITE, BUILDINGS.] The regional jail board may lease suitable premises or acquire by gift, ~~or purchase, or condemnation proceedings instituted in the name of the counties~~ a suitable site, and erect on the site buildings suitable for a regional jail. ~~Condemnation proceedings shall be conducted in the manner provided in chapter 417.~~ No premises shall be leased, site acquired, or building erected without the approval of the county board of each cooperating county and the commissioner of corrections. The regional jail board may by resolution enter into a lease agreement with any statutory or home rule charter city situated within any of the counties, in the

same manner and with the same force and effect as a county acting under the provisions of section 641.24; ~~provided that~~ . Any ~~such~~ lease agreement, and any amendment ~~thereto~~ *to it*, shall be approved by the county board of each cooperating county before it is executed.

Sec. 21. [REPEALER.]

Minnesota Statutes 1980, Sections 38.05; 85A.02, Subdivision 6; 117.31; 123.40, Subdivision 6; 123.63; 161.29; 163.12; 193.144, Subdivision 4; and 308.39; are repealed.

Sec. 22. [EFFECTIVE DATE.]

Sections 2 to 21 are effective the day following final enactment, and shall apply to any action in which the petition for condemnation is filed with the district court on or after that date."

Amend the title as follows:

Page 1, line 8, delete "85.015, Subdivisions 12 and 13;"

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. 1143: A bill for an act relating to minors; permitting blood donation by minors; providing circumstances under which minors are emancipated; providing procedures for a declaration of emancipation; amending Minnesota Statutes 1980, Section 145.41; and proposing new law coded in Minnesota Statutes, Chapter 260.

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 145.41, is amended to read:
145.41 [BLOOD DONATIONS, AGE OF DONOR.]

Any person of the age of 17 years or over shall be eligible to donate blood in any voluntary and noncompensatory blood program without the necessity of obtaining parental permission or authorization. A minor aged 15 or 16 years with parental consent or aged 17 years without parental consent may donate blood in any voluntary and noncompensatory blood program. The minor's consent is not subject to disaffirmance on grounds of minority.

Sec. 2. Minnesota Statutes 1980, Section 260.015, is amended by adding a subdivision to read:

Subd. 19. [DESIGNATED COUNTY AGENCY.] "Designated county agency" means the agency designated by the county board pursuant to section 256E.08, subdivision 3, to provide social services.

Sec. 3. Minnesota Statutes 1981 Supplement, Section 260.111, Subdivision 2, is amended to read:

Subd. 2. [JURISDICTION OVER OTHER MATTERS RELATING TO CHILDREN.] Except as provided in clause (d), the juvenile court has original and exclusive jurisdiction in proceedings concerning:

(a) The termination of parental rights to a child in accordance with the provisions of sections 260.221 to 260.245.

(b) The appointment and removal of a juvenile court guardian of the person for a child, where parental rights have been terminated under the provisions of sections 260.221 to 260.245.

(c) Judicial consent to the marriage of a child when required by law.

(d) Adoptions. The juvenile court in those counties in which the judge of the probate-juvenile court has been admitted to the practice of law in this state shall proceed under the laws relating to adoptions in all adoption matters. In those counties in which the judge of the probate-juvenile court has not been admitted to the practice of law in this state the district court shall proceed under the laws relating to adoptions in all adoption matters.

(e) The review of the foster care status of a child who has been placed in a residential facility, as defined in section 257.071, subdivision 1, pursuant to a voluntary release by his parent or parents.

(f) *Petitions for emancipation and for the rescission of emancipation.*

Sec. 4. Minnesota Statutes 1980, Section 260.131, Subdivision 2, is amended to read:

Subd. 2. [PETITION.] The petition shall be verified by the person having knowledge of the facts and may be on information and belief. Unless otherwise provided by rule or order of the court, *and except in the case of petitions for emancipation or rescission of emancipation*, the county attorney shall draft the petition upon the showing of reasonable grounds to support the petition.

Sec. 5. Minnesota Statutes 1980, Section 260.135, Subdivision 3, is amended to read:

Subd. 3. [NOTICE TO AGENCY.] If a petition alleging neglect, or dependency, or a petition to terminate parental rights is initiated by a person other than a representative of the department of public welfare or *the designated county welfare board agency, or if a petition for emancipation or rescission of emancipation is filed*, the clerk of the court shall notify the *designated county welfare board* agency of the pendency of the case and of the time and place appointed.

The designated county agency may investigate the feasibility of emancipation of a minor when a valid petition for emancipation has been filed, and may recommend to the court that emancipation be granted or denied. If the designated county agency makes a recommendation, its reasons shall be included in the record.

Sec. 6. Minnesota Statutes 1980, Section 260.141, Subdivision 1, is amended to read:

Subdivision 1. [SERVICE OF SUMMONS, NOTICE.] (a) Service of summons or notice required by section 260.135 shall be made upon the following persons in the same manner in which personal service of summons in civil actions is made:

(1) in all delinquency matters, upon the person having custody or control of the child and upon the child; and

(2) in all other matters, upon the person having custody or control of the child, and upon the child if he is more than 12 years of age. *In a proceeding for emancipation or rescission of emancipation involving a minor who is an Indian under the Indian Child Welfare Act of 1978, service also shall be made upon the minor's tribe, which shall be a party to the proceeding. In a proceeding for emancipation or rescission of emancipation involving a minor who is under the supervision of a probation officer or social worker, service shall be made on the probation officer or social worker, and the department or agency employing the probation officer or social worker shall be a party. In all proceedings for emancipation or rescission of emancipation service shall be made on the minor's parents or guardian unless service is waived in the petition.*

Personal service shall be effected at least 24 hours before the time of the hearing; however, it shall be sufficient to confer jurisdiction if service is made at any time before the day fixed in the summons or notice for the hearing, except that the court, if so requested, shall not proceed with the hearing earlier than the second day after the service. If personal service cannot well be made within the state, a copy of the summons or notice may be served on the person to whom it is directed by delivering a copy thereof to ~~such~~ the person personally outside the state. ~~Such Personal service if made personally outside the state shall be~~ is sufficient to confer jurisdiction; ~~providing however if it be~~ is made at least five days before the date fixed for hearing in ~~such~~ the summons or notice.

(b) If the court is satisfied that personal service of the summons or notice cannot well be made, it shall ~~make an order providing for the~~ service of summons or notice by certified mail addressed to the last known addresses of ~~such~~ the persons, and by ~~one week~~ seven days published notice as provided in section 645.11. A copy of the notice shall be sent by certified mail at least five days before the time of the hearing or 14 days if mailed to addresses outside the state.

(c) Notification to the *designated county welfare board* agency required by section 260.135, subdivision 3, shall be in ~~such the~~ manner as the court ~~may direct~~ directs. *The designated county agency shall be a party to any emancipation proceeding.*

Sec. 7. Minnesota Statutes 1980, Section 260.155, Subdivision 2, is amended to read:

Subd. 2. [APPOINTMENT OF COUNSEL.] The minor, parent, guardian or custodian have the right to effective assistance of counsel. If they desire counsel but are unable to employ it, the court shall appoint counsel to represent the minor or his parents or guardian in any other case in which it feels that ~~such~~ an appointment is desirable.

Sec. 8. Minnesota Statutes 1980, Section 260.185, Subdivision 1, is amended to read:

Subdivision 1. [DISPOSITION.] If the court finds that the child is delinquent, it shall enter an order making any of the following dispositions of the case which are deemed necessary to the rehabilitation of the child:

- (a) Counsel the child or his parents, guardian, or custodian;
- (b) Place the child under the supervision of a probation officer or other

suitable person in his own home under conditions prescribed by the court including reasonable rules for his conduct and the conduct of his parents, guardian, or custodian, designed for the physical, mental, and moral well-being and behavior of the child, or with the consent of the commissioner of corrections, in a group foster care facility which is under the management and supervision of ~~said~~ the commissioner;

(c) Subject to the supervision of the court, transfer legal custody of the child to one of the following:

(1) A child placing agency; ~~or~~

(2) The *designated county welfare board agency*; ~~or~~

(3) A reputable individual of good moral character. No person may receive custody of two or more unrelated children unless he is licensed as a residential facility pursuant to sections 245.781 to 245.813; ~~or~~

(4) Except for children found to be delinquent as defined in section 260.015, subdivision 5, clauses (c) and (d), a county home school, if the county maintains a home school or enters into an agreement with a county home school; or

(5) A county probation officer for placement in a group foster home established under the direction of the juvenile court and licensed pursuant to section 241.021;

(d) Except for children found to be delinquent as defined in section 260.015, subdivision 5, clauses (c) and (d), transfer legal custody by commitment to the commissioner of corrections;

(e) If the child is found to have violated a state ~~or local~~ law or *local ordinance* which has resulted in damage to the property of another, the court may order the child to make reasonable restitution for ~~such~~ the damage;

(f) Require the child to pay a fine of up to \$500; the court shall order payment of the fine in accordance with a time payment schedule which ~~shall~~ *does not* impose an undue financial hardship on the child;

(g) If the child is in need of special treatment and care for his physical or mental health, the court may order the child's parent, guardian, or custodian to provide it. If the parent, guardian, or custodian fails to provide this treatment or care, the court may order it provided;

(h) If the court believes that it is in the best interests of the child and of public safety that the driver's license of the child be cancelled until his 18th birthday, the court may recommend to the commissioner of transportation the cancellation of the child's license for any period up to the child's 18th birthday; ~~and~~. The commissioner is ~~hereby~~ authorized to cancel ~~such~~ the license without a hearing. At any time before the termination of the period of cancellation, the court may, for good cause, recommend to the commissioner of transportation that the child be authorized to apply for a new license, and the commissioner may ~~do so~~ *authorize*;

(i) *Issue the minor a declaration of emancipation pursuant to sections 11 to 14 if a petition for emancipation has been filed and all necessary parties have been properly served with the summons and petition for emancipation.*

Any order for a disposition authorized under this section shall contain writ-

ten findings of fact to support the disposition ordered; ~~and~~ . It shall also set forth in writing the following information:

(a) Why the best interests of the child are served by the disposition ordered; and

(b) What alternative dispositions were considered by the court and why ~~such dispositions~~ *they* were not appropriate in the instant case.

This subdivision applies to dispositions of juveniles found to be delinquent as defined in section 260.015, subdivision 5, clause (c) or (d) ~~made prior to, on, or after January 1, 1978.~~

Sec. 9. Minnesota Statutes 1980, Section 260.191, Subdivision 1, is amended to read:

Subdivision 1. [ORDER.] If the court finds that the child is neglected, dependent, or neglected and in foster care, it shall enter an order making any of the following dispositions of the case:

(a) Place the child under the protective supervision of the *designated* county ~~welfare board or child placing~~ agency in his own home under conditions prescribed by the court directed to the correction of the neglect or dependency of the child;

(b) Transfer legal custody to one of the following:

(1) A child placing agency; or

(2) The *designated* county ~~welfare board~~ agency;

(c) If the child is in need of special treatment and care for his physical or mental health, the court may order the child's parent, guardian, or custodian to provide it. If the parent, guardian, or custodian fails to provide this treatment or care, the court may order it provided;

(d) *Issue the minor a declaration of emancipation pursuant to sections 11 to 14 if a petition for emancipation has been filed and all necessary parties have been properly served with the summons and petition for emancipation. No declaration of emancipation shall be issued until at least 60 days after the hearing on the petition and no order shall be issued if the parent, the child, or the child's guardian withdraws his consent prior to the issuance of the order.*

Any order for a disposition authorized under this section shall contain written findings of fact to support the disposition ordered; ~~and~~ . It shall also set forth in writing the following information:

(a) Why the best interests of the child are served by the disposition ordered; and

(b) What alternative dispositions were considered by the court and why ~~such dispositions~~ *they* were not appropriate in the instant case.

Sec. 10. Minnesota Statutes 1980, Section 260.191, Subdivision 2, is amended to read:

Subd. 2. [DURATION.] All orders under this section shall be for a specified length of time set by the court not to exceed one year, *except that a declaration of emancipation shall be final unless rescinded pursuant to section 14.* However, before the order has expired and upon its own motion or that of any

interested party, the court has continuing jurisdiction to renew the order or, after notice to the parties and a hearing, make some other disposition of the case, until the individual is no longer a minor. Any person to whom legal custody is transferred shall report to the court in writing at ~~such~~ periods as the court ~~may direct~~ directs.

Sec. 11. [260.47] [EMANCIPATED MINOR DEFINED.]

An individual under the age of 18 years is an emancipated minor if the individual:

(a) Has entered into a valid marriage, whether or not the marriage is terminated by dissolution before the individual reaches the age of 18;

(b) Is or has been on active duty with any branch of the armed forces of the United States; or

(c) Has received a declaration of emancipation pursuant to section 13.

(d) Is emancipated in fact.

Sec. 12. [260.471] [EFFECT OF EMANCIPATION.]

An emancipated minor pursuant to section 13 shall be treated as an adult for the purposes specified in this section. He shall have the same capacity as an adult to:

(a) Consent to or withhold consent from medical, dental, mental, or other health services;

(b) Enter a binding contract;

(c) Buy or sell real or personal property;

(d) Sue or be sued in his own name;

(e) Establish a residence; and

(f) Participate in evaluation, testing, enrollment or certification for any educational program.

To the same extent as an adult, he shall be free from parental control of his person and earnings. He shall have no right to receive parental support except as set forth in the order.

He shall not be subject to the jurisdiction of the juvenile court based on allegations that he is delinquent, as defined by section 260.015, subdivision 5, clause (d), dependent as defined by section 260.015, subdivision 6, or neglected as defined by section 260.015, subdivision 10.

The parents of an emancipated minor shall have no liability for his torts committed or contracts entered into during the period of emancipation.

Sec. 13. [260.472] [DECLARATION OF EMANCIPATION.]

Subdivision 1. [PETITION.] A minor who is 16 or more years of age may jointly petition with his parents and guardian the juvenile court in the county where he resides for a declaration of emancipation, unless custody of the child has been transferred to the commissioner of corrections or to the county home school and the court order transferring custody is still in effect. The petition shall state in addition to the requirements of section 260.131, subdivision 3:

(a) *The minor's age;*

(b) *That the minor has an acceptable plan for independent living apart from his parents or guardian;*

(c) *That the minor is managing his own financial affairs and that the parents or guardian are not supporting the minor.*

(d) *That the parents and guardian consent to emancipation or that the parents are incompetent or there is no parent or guardian;*

(e) *The source of the minor's income; and*

(f) *That the minor understands the consequences of being free from parental control and protection.*

Subd. 2. [GROUNDS FOR DECLARATION.] The court shall grant a petition for emancipation if it finds that

(a) *The provisions of subdivision 1, clauses (b), (c), and (d) are met;*

(b) *The minor's income is not derived from any activity prohibited by state or federal law; and*

(c) *The minor is sufficiently mature to assume responsibility for his own care and that it is in the minor's best interest to do so. The parents' or guardian's consent shall not be conclusive on the question of the minor's best interests.*

Before granting a petition for emancipation, the court shall determine that the minor has a plan for room, board, health care, and education, vocational training, or employment. The plan shall identify community resources and agencies necessary to assist in the minor's plan and shall demonstrate that the resources and agencies have agreed to provide support.

The court may condition its order on the parents or guardian providing child support to the child or to the public agency in charge of collecting child support or upon the parents or guardian providing medical insurance coverage. If the court grants the petition, it shall issue the minor a declaration of emancipation. A copy of the declaration shall be filed with the clerk of court. Orders granting emancipation are public records and are not subject to the confidentiality requirements of sections 260.161, subdivision 1, and 260.211, subdivision 1.

Sec. 14. [260.473] [RESCISSION OF DECLARATION.]

Subdivision 1. [PROCEDURE.] A minor or the parents or most recent previous guardian of a minor emancipated pursuant to section 13 may petition the court to rescind the declaration if the minor is in circumstances which may not be remedied by revision of the minor's plan. Service shall be made in the manner and on the parties provided by section 6. If the minor files the petition, service also shall be made on the parents or most recent previous guardian, who shall be parties. If the court sustains the petition it shall issue an order rescinding the declaration. A copy of the rescission order shall be filed with the clerk of court. Rescission orders are public records and are not subject to the confidentiality requirements of section 260.161, subdivision 1.

Subd. 2. [CONTRACTS, TORTS; EFFECT OF RESCISSION.] A minor whose emancipation has been rescinded remains liable for contracts made, torts committed, or other liabilities incurred during his emancipation as

though the emancipation had not been rescinded. Rescission of emancipation does not render a parent or guardian liable for conduct or contracts of the minor during the period of emancipation.

Sec. 15. Minnesota Statutes 1981 Supplement, Section 525.6192, is amended to read:

525.6192 [TERMINATION OF APPOINTMENT OF GUARDIAN; GENERAL.]

A guardian's authority and responsibility terminates upon the death, resignation or removal of the guardian or upon the minor's death, adoption, marriage ~~or~~, attainment of majority *or emancipation pursuant to sections 11 to 14*, but termination does not affect his liability for prior acts, nor his obligation to account for funds and assets of his ward. A guardian may be discharged without notice or hearing on petition and acceptance of the guardian's accounts by the ward after the ward marries or attains majority, or, in the case of the ward's death, by the personal representative of the ward's estate. In other cases the court may discharge the guardian upon approval of his accounts after notice and a hearing. Resignation of a guardian does not terminate the guardianship until it has been approved by the court. A testamentary appointment under an informally probated will terminates if the will is later denied probate in a formal proceeding."

Delete the title and insert:

"A bill for an act relating to minors; permitting blood donation by minors; providing circumstances under which minors are emancipated; providing procedures for a declaration of emancipation; amending Minnesota Statutes 1980, Sections 145.41; 260.015, by adding a subdivision; 260.131, Subdivision 2; 260.135, Subdivision 3; 260.141, Subdivision 1; 260.155, Subdivision 2; 260.185, Subdivision 1; 260.191, Subdivisions 1 and 2; Minnesota Statutes 1981 Supplement, Sections 260.111, Subdivision 2; and 525.6192; and proposing new law coded in Minnesota Statutes, Chapter 260."

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. 879: A bill for an act relating to juveniles; removing certain children from definition of "delinquent child"; defining "runaway," "habitual truant," "juvenile petty offender," "juvenile alcohol or controlled substance offender"; simplifying certain pleading and notice procedures; providing hearing rights and dispositional alternatives; amending Minnesota Statutes 1980, Sections 260.015, Subdivision 5, and by adding subdivisions; 260.111, Subdivision 1; 260.121, Subdivisions 1 and 2; 260.155, Subdivision 1; and 260.173, Subdivision 3; proposing new law coded in Minnesota Statutes, Chapter 260.

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

Page 1, line 18, after "5." insert "[DELINQUENT CHILD.]"

Page 1, line 20, delete "section 2,"

Page 1, line 21, delete "petty offenses, running away, and" and insert

"offenders as described in subdivisions 21, 22, and 23"

Page 1, line 22, delete "*habitual truancy*"

Page 2, line 2, delete "subdivisions" and insert "a subdivision"

Page 2, lines 4 and 10, delete "*or herself*"

Page 2, after line 8, insert:

"Sec. 3. Minnesota Statutes 1980, Section 260.015, is amended by adding a subdivision to read:"

Page 2, lines 11 and 12, delete "*or her*"

Page 2, after line 12, insert:

"Sec. 4. Minnesota Statutes 1980, Section 260.015, is amended by adding a subdivision to read:"

Page 2, after line 22, insert:

"Sec. 5. Minnesota Statutes 1980, Section 260.015, is amended by adding a subdivision to read:"

Page 2, lines 25 and 29, before the period, insert "*or an equivalent local ordinance*"

Page 2, after line 25, insert:

"Sec. 6. Minnesota Statutes 1980, Section 260.015, is amended by adding a subdivision to read:"

Page 3, lines 1 and 4, delete "*an*" and insert "*a*"

Page 3, line 4, after the comma, insert "*a juvenile petty offender,*"

Page 3, line 5, delete "*a juvenile petty offender,*"

Page 3, line 13, after "1." insert "[VENUE.]"

Page 3, line 28, after "2." insert "[TRANSFER.]"

Page 4, lines 17 and 18, delete "*an*" and insert "*a*"

Page 4, line 26, delete "*provided by this subdivision*"

Page 4, line 34, delete "*shall have*" and insert "*has*"

Page 5, lines 7 and 21, delete "*an*" and insert "*a*"

Page 5, line 26, strike "*such*" and insert "*any*"

Page 6, line 5, after "3." insert "[PLACEMENT.]"

Page 6, lines 6 and 25, delete "*an*" and insert "*a*"

Page 7, line 9, delete "*or she*"

Page 7, line 16, delete "*, and may impose*"

Page 7, line 17, delete everything before the semicolon

Page 7, line 26, after "*and*" insert a comma

Page 7, line 36, delete "*, and*" and insert a period

Page 8, line 1, delete "*hereby*"

Page 8, line 14, delete "*those dispositions*" and insert "*they*"

Page 8, line 17, delete "*an*" and insert "*a*"

Page 8, line 34, delete "*, and*" and insert "*. They*"

Page 9, line 7, delete "*may direct*" and insert "*directs*"

Page 9, line 9, delete "*an*" and insert "*a*"

Page 9, line 16, delete "*child who violates*"

Page 9, delete lines 17 to 19

Page 9, line 20, delete everything before "*shall*" and insert "*juvenile alcohol or controlled substance offender*"

Page 9, line 29, delete everything after "*child*"

Page 9, delete lines 30 to 32

Page 9, line 33, delete "*therewith*" and insert "*is a juvenile alcohol or controlled substance offender*"

Page 10, delete lines 3 to 6 and insert "*be a juvenile alcohol or controlled substance offender,*"

Page 10, line 8, delete "*shall have*" and insert "*has*"

Page 10, delete lines 10 to 13 and insert "*knowledge that a child is a juvenile alcohol or controlled substance offender may petition*"

Page 10, delete lines 16 to 18

Page 10, line 19, delete everything before the comma and insert "*child is a juvenile alcohol or controlled substance offender*"

Page 10, delete lines 31 to 33

Page 10, line 34, delete everything before the comma and insert "*a child is a juvenile alcohol or controlled substance offender*"

Page 11, line 15, delete "*has committed*"

Page 11, delete lines 16 to 19

Page 11, line 20, delete "*therewith*" and insert "*is a juvenile alcohol or controlled substance offender*"

Page 11, line 32, delete "*those dispositions*" and insert "*they*"

Page 11, after line 33, insert:

"Subd. 6. [REPORT TO THE COMMISSIONER.] *The juvenile court shall report to the office of state court administrator each disposition made under sections 260.185, 260.191, 260.192, and sections 14 and 15 where placement is made outside of this state's jurisdictional boundaries. Each report shall contain information as to date of placement, length of anticipated placement, program costs, reasons for out of state placement, and any other information as the office requires to determine the number of out of state placements, the reasons for these placements, and the costs involved. The report shall not contain the name of the child. Any information contained in the reports relating to factors identifying a particular child is confidential and may be disclosed*

only by order of the juvenile court. Any person violating this subdivision as to release of this confidential information is guilty of a misdemeanor."

Page 11, line 34, delete "6" and insert "7"

Page 12, line 2, delete "10" and insert "14"

Renumber the sections in sequence

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

Mr. Willet from the Committee on Finance, to which was re-referred

S.F. No. 1633: A bill for an act relating to transportation; removing a route from the trunk highway system; changing the descriptions of certain trunk highway routes; directing the commissioner of transportation to construct a parkway along a certain route in the city of St. Paul; prohibiting a certain highway connection until a full environmental impact statement is made; requiring the posting of bond in certain proceedings; amending Minnesota Statutes 1980, Sections 161.117; 161.12; 161.1245, Subdivision 1, and by adding a subdivision.

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

Page 4, delete section 5

Amend the title as follows:

Page 1, lines 8 and 9, delete "requiring the posting of bond in certain proceedings;"

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

SECOND READING OF SENATE BILLS

S.F. Nos. 1143 and 1633 were read the second time.

SECOND READING OF HOUSE BILLS

H.F. Nos. 603 and 879 were read the second time.

MOTIONS AND RESOLUTIONS - CONTINUED

Mr. Davis moved that S.F. No. 2150 be stricken from General Orders and returned to the Committee on Taxes and Tax Laws. The motion prevailed.

Mr. Sikorski moved that the Senate do now adjourn until 11:00 a.m., Wednesday, March 10, 1982. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate