

## TWENTY-FIFTH DAY

St. Paul, Minnesota, Monday, March 21, 1983

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

Prayer was offered by the Chaplain, Rev. John R. Malm.

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

Adkins	Diessner	Kroening	Olson	Sieloff
Anderson	Dieterich	Kronebusch	Pehler	Solon
Belanger	Frank	Laidig	Peterson, C.C.	Spear
Benson	Frederick	Langseth	Peterson, D.C.	Storm
Berg	Frederickson	Lantry	Peterson, D.L.	Stumpf
Berglin	Freeman	Lessard	Peterson, R.W.	Taylor
Bernhagen	Hughes	Luther	Petty	Ulland
Bertram	Isackson	McQuaid	Pogemiller	Vega
Brataas	Johnson, D.E.	Mehrkens	Purfeerst	Waldorf
Chmielewski	Johnson, D.J.	Merriam	Ramstad	Wegscheid
Dahl	Jude	Moe, D.M.	Reichgott	Willet
Davis	Kamrath	Moe, R.D.	Renneke	
DeCramer	Knaak	Nelson	Samuelson	
Dicklich	Knutson	Novak	Schmitz	

The President declared a quorum present.

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

## MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, herewith returned: S.F. No. 152.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 17, 1983

Mr. President:

I have the honor to announce the passage by the House of the following House Files, herewith transmitted: H.F. Nos. 190, 236, 413, 274 and 371.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted March 17, 1983

## FIRST READING OF HOUSE BILLS

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

indicated.

H.F. No. 190: A bill for an act relating to courts; providing for the appointment of a court commissioner to solemnize marriages in Brown, Dodge, Fillmore and Olmsted counties; proposing new law coded in Minnesota Statutes, chapter 517.

Referred to the Committee on Judiciary.

H.F. No. 236: A bill for an act relating to occupations and professions; regulating physicians attending certain graduate programs; amending Minnesota Statutes 1982, section 147.20.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 468.

H.F. No. 413: A bill for an act relating to the city of Edina; allowing the city to make special assessments against certain benefited property.

Referred to the Committee on Local and Urban Government.

H.F. No. 274: A bill for an act relating to the legislature; providing for the majority leader of the senate rather than the president of the senate to serve as chairman of the legislative coordinating commission; changing the term of the chairman of the commission from one year to two years; amending Minnesota Statutes 1982, section 3.303, subdivision 3.

Referred to the Committee on Rules and Administration.

H.F. No. 371: A bill for an act relating to transportation; making scheduled increases in taxes on gasoline and special fuel; delaying the effective date of changes in the disposition of the revenue from the motor vehicle excise tax; providing for the addition of designated routes in the trunk highway system; authorizing the issuance of trunk highway bonds; eliminating the authority of the metropolitan transit commission to levy a certain tax; creating a town road account in the county state-aid highway fund; providing for the apportionment of five percent of the net highway user tax distribution fund; proposing new law coded in Minnesota Statutes, chapters 162 and 169; amending Minnesota Statutes 1982, sections 161.081; 161.082, subdivision 2a; 296.01, subdivision 24; 296.02; 296.14, subdivision 2; 296.18, by adding a subdivision; 297B.09; and 473.446, subdivision 1.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 342, now on General Orders.

## REPORTS OF COMMITTEES

Mr. Moe, R.D. moved that the Committee Reports at the Desk be now adopted, with the exception of the report on S.F. No. 92 and reports pertaining to appointments. The motion prevailed.

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

S.F. No. 554: A bill for an act relating to housing and redevelopment; providing for the appointment of commissioners of multi-county author-

ities; amending Minnesota Statutes 1982, section 462.428, subdivision 2.

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

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

S.F. No. 282: A bill for an act relating to Northwest Minnesota Multi-County Housing and Redevelopment Authority; providing for per diem compensation for attendance of commissioners at meetings.

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 1982, section 462.441, is amended to read:

462.441 [POWERS; QUORUM; OFFICERS; MEETING; COMPENSATION; EXPENSES.]

The powers of each authority shall be vested in the commissioners thereof in office at any time; a majority of whom shall constitute a quorum for all purposes. Each authority shall select a chairman and a secretary from among its commissioners and shall adopt such bylaws and other rules for the conduct of its affairs as it deems appropriate. The regular meetings of an authority shall be held in a fixed place and shall be open to the public. Each commissioner shall be entitled to receive necessary expenses, including traveling expenses, incurred in the performance of his duties. Each commissioner may be paid for attending meetings of the authority, regular and special \$25 \$35 per meeting, the aggregate of all payments to each such commissioner for any one year not to exceed, however, ~~\$1,500~~ \$2,500.”

Delete the title and insert:

“A bill for an act relating to housing and redevelopment authorities; increasing the per diem compensation for attendance of commissioners at meetings; amending Minnesota Statutes 1982, section 462.441.”

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

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

S.F. No. 190: A bill for an act relating to taxes; providing an additional income tax deduction for certain waste transportation costs; amending Minnesota Statutes 1982, section 290.09, by adding a subdivision.

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 1982, section 290.06, is amended by adding a subdivision to read:

*Subd. 16. [TRANSPORTATION OF TAILINGS FOR COMMERCIAL USE.] A credit of six percent of the cost of transporting non-asbestos taconite tailings from the site at which a purchaser acquired the tailings to the place where the tailings were used or prepared for use for commercial purposes by the purchaser may be deducted from the tax due under this chapter in the taxable year during which the transportation costs were paid or accrued. The taxpayer may also take a deduction for the cost of transportation of the material pursuant to section 290.09, subdivision 2.*

*If the amount of the credit provided by this subdivision exceeds the taxpayer's liability for taxes pursuant to chapter 290 in the taxable year in which the transportation costs are paid or accrued, the excess amount may be carried forward to the four taxable years following the year the costs are paid or accrued. The entire amount of the credit not used in the year the costs are paid or accrued shall be carried to the earliest of the four taxable years to which the credit may be carried and then to each of the three successive taxable years.*

Sec. 2. [EFFECTIVE DATE.]

*Section 1 is effective for taxable years beginning after December 31, 1982."*

Amend the title as follows:

Page 1, line 2, delete "additional"

Page 1, line 3, delete "deduction" and insert "credit" and delete "waste" and insert "taconite tailings"

Page 1, line 4, delete "290.09" and insert "290.06"

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

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

S.F. No. 148: A bill for an act relating to natural resources; authorizing the commissioner of natural resources to extend timber permits; amending Laws 1981, chapter 305, section 11, as amended.

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

Page 1, line 16, after "90" insert "or pursuant to this section"

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

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

S.F. No. 511: A bill for an act relating to low-level radioactive waste; entering the Midwest Interstate Low-Level Radioactive Waste Compact; assessing certain low-level radioactive waste generators; providing for enforcement of the compact; providing for civil and criminal penalties; creating an advisory committee; appropriating money; proposing new law coded

in Minnesota Statutes, chapter 116C.

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

Page 18, line 16, delete "*serve as Minnesota's*" and insert "*represent Minnesota as its*"

Page 18, line 17, after the period, insert "*The director shall tender the state's membership fee to the interstate commission by August 1, 1983, or, if the commission has not come into existence by August 1, 1983, when the first meeting of the commission is convened as provided in the compact.*"

Page 19, line 12, delete "*commissioner of*"

Page 19, line 13, delete "*revenue*" and insert "*agency*"

Page 21, line 28, delete "*committee*" and insert "*subcommittee*"

Page 21, line 30, delete "*of department*"

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

Mr. Chmielewski from the Committee on Employment, to which was referred

S.F. No. 584: A bill for an act relating to labor; establishing the job skills partnership; creating a board; appropriating money; proposing new law coded as Minnesota Statutes, chapter 116K.

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

Mr. Chmielewski from the Committee on Employment, to which was referred

S.F. No. 575: A bill for an act relating to workers' compensation; providing for a fee-for-service reimbursement system for services provided to injured workers; proposing new law coded in Minnesota Statutes, chapter 176.

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

Mr. Moe, D. M. from the Committee on Governmental Operations, to which was referred

S.F. No. 568: A bill for an act relating to state government; providing for a permanent job sharing program; amending Minnesota Statutes 1982, sections 43A.42; 43A.43, subdivision 2; amending Laws 1981, chapter 210, section 55, as amended.

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 1982, section 43A.41, subdivision 4, is

amended to read:

Subd. 4. [SHARED POSITION.] "Shared position" means a position which has been converted from a full-time position into part-time positions of ~~equivalent class which are in the same classification series and bargaining unit or plan~~ for purposes of sections 43A.40 to 43A.46.

Sec. 2. Minnesota Statutes 1982, section 43A.41, subdivision 5, is amended to read:

Subd. 5. [PROGRAM.] "Program" means the Minnesota ~~demonstration~~ job sharing program.

Sec. 3. Minnesota Statutes 1982, section 43A.42, is amended to read:

43A.42 [POSITIONS AFFECTED.]

A total of 50 full-time positions within agencies of state government shall be selected for inclusion within the program. ~~These positions shall be selected within as few separate agencies as possible.~~ No fewer than 15 of these positions shall be either professional, supervisory or managerial positions. In no instance shall a person in a shared time position work less than 40 percent time. No position shall be selected if it is contained in a unit which is represented by an exclusive representative which has a collective bargaining agreement covering the unit unless the exclusive representative agrees to the selection. All shared time positions shall be equivalent in classification to the full-time position from which they are converted.

Sec. 4. Minnesota Statutes 1982, section 43A.43, subdivision 2, is amended to read:

Subd. 2. [DUTIES AND POWERS.] The ~~coordinator~~ commissioner shall have the following powers and duties to:

(a) Select, in cooperation with the affected agencies ~~and the commissioner, the agencies and~~, the positions within the agencies to be included in the program;

~~(b) Design and implement, in cooperation with the affected agencies and the commissioner, an evaluation plan for the program, in accordance with accepted research criteria, to ascertain the effect of job sharing on employee satisfaction, productivity, absenteeism, administrative and supervisory time demands, and increased costs both direct and indirect, as well as any other relevant impact on employer or employee;~~

~~(c) (b) Coordinate the conversion of full-time to shared positions in the affected agencies and to assist in the design of the shared positions, with attention to employee and employer needs and to the potential for replicability of the program experience in other agencies throughout state government. All shared positions shall be equivalent in classification to the full-time position from which they are converted;~~

~~(d) (c) Assist the affected agencies and the commissioner in recruitment, selection and hiring for the affected positions;~~

~~(e) (d) Assist both supervisors and employees in the affected agencies in the transition to shared positions under the program and to recommend to the commissioner any modifications in rules, executive authority or statutes~~

deemed desirable to effectuate the purposes of sections 43A.40 to 43A.46; and

(f) *(e)* Monitor the positions selected pursuant to section 43A.41, in cooperation with the affected agencies ~~and the commissioner~~, throughout the term of the program; and

~~(g) Assist the commissioner in reporting to the governor and the legislature on January 1, 1981 and January 1, 1982. The commissioner's report shall provide an evaluation of the experience of the program, with attention to the items listed in clause (b) in addition to any other relevant information, and shall offer recommendations concerning the further increase of shared positions in the state service.~~

Sec. 5. Minnesota Statutes 1982, section 43A.44, subdivision 1, is amended to read:

Subdivision 1. [SALARIES; CLASS.] A position selected by the ~~coordinator~~ *commissioner* pursuant to section 43A.43 shall be divided into shared positions to be paid at the rate of the appropriate shared time percent of the otherwise appropriate salary. ~~The classification of a shared position shall be the same as that applicable to the full-time position from which it is converted.~~

Sec. 6. Minnesota Statutes 1982, section 43A.44, subdivision 2, is amended to read:

Subd. 2. [BENEFITS.] Employees in shared positions shall be eligible for the following benefits and subject to the following obligations:

(a) Membership in the Minnesota state retirement system, the teachers retirement association or the state patrol retirement fund, whichever is appropriate, except that, notwithstanding any provision of section 352.01, subdivisions 11 and 16; 352B.01, subdivision 3; 354.05, subdivisions 13 and 25; or 354.091, employees shall have allowable service for the purpose of meeting the minimum service requirements for eligibility to a retirement annuity or other retirement benefit credited in full, but shall have benefit accrual service for the purpose of computing a retirement annuity or other retirement benefit credited on a fractional basis either weekly or annually based upon the relationship that the number of hours of service bears to either 40 hours per week or 2,080 hours per year, with any salary paid for the fractional service credited on the basis of the rate of salary applicable for a full-time week or a full-time year.

(b) Vacation and sick leave ~~accrual at the rate of the appropriate shared time percent of the entitlement of comparable full-time employees~~ *accruals shall be prorated in accordance with the pertinent collective bargaining agreement or plan covering the position;*

(c) Employee dental, medical and hospital benefits coverage shall be available of the same type and coverage afforded to comparable full-time employees. Employees in shared positions who elect such coverage shall pay, by payroll deduction, the difference between the actual cost to the employer and the appropriate shared time percent of the actual cost. The remaining percent shall be paid by the employer. Employee life insurance coverage shall be available to employees in shared positions on the same terms as for comparable full-time employees;

(d) Dependent life insurance coverage shall be available to employees in shared positions on the same terms as for comparable full-time employees. Dependent medical, hospital and dental benefits coverage shall be available to employees in shared positions of the same type and coverage afforded to comparable full-time employees, except that the employer shall contribute the appropriate shared time percent of the dollar amount contributed for comparable full-time employees electing the same program, the remainder to be paid by payroll deduction by the employee electing such coverage;

(e) Employees in shared positions shall be entitled to the ~~appropriate shared time percent of the holiday pay to which comparable full-time employees are entitled for holidays observed by the full-time employees whenever the employee in a shared position would otherwise be scheduled to work on that day. The employee may be allowed to reschedule working hours to avoid any loss in pay due to the prorating of holiday pay. When an employee in a shared position is not scheduled to work on an observed holiday, the next scheduled working day shall be treated as the holiday prorated holiday provisions of the applicable collective bargaining agreement or plan covering the position;~~

(f) Employees in shared positions shall accrue seniority time in every relevant category at the same rate accorded to comparable full-time employees. No full-time employee accepting a shared position shall suffer any loss of or gap in seniority time in the relevant categories applicable to the full-time employment; and

(g) Any other benefits of employment for employees in shared positions shall be prorated at a rate of the appropriate shared time percent of those available to comparable full-time employees, whenever the benefits are divisible. Contributions by the employer toward the benefits, if any, shall be equal to the appropriate shared time percent of the full-time benefits. When not divisible, the cost of the full-time benefits normally allocable to the employer shall be allocated, the appropriate shared time percent to the employee in a shared position, by payroll deduction, and the remaining percent to the employer.

Sec. 7. Minnesota Statutes 1982, section 43A.45, is amended to read:

43A.45 [ACCEPTANCE OF SHARED POSITIONS.]

No employee holding a full-time or three-quarter time position ~~on July 1, 1980~~ shall be required to accept a shared position pursuant to sections 43A.40 to 43A.46.

Sec. 8. Laws 1981, chapter 210, section 55, as amended by Laws 1982, chapter 560, section 61, is amended to read:

Sec. 55. [REPEALER.]

Minnesota Statutes 1980, chapter 43, is repealed. ~~Sections 40 to 46 are repealed effective December 31, 1983.~~

Sec. 9. [REPEALER.]

*Minnesota Statutes 1982, sections 43A.41, subdivision 3; and 43A.43, subdivision 1, are repealed."*

Amend the title as follows:

Page 1, line 4, after "sections" insert "43A.41, subdivisions 4 and 5;"



Page 1, line 4, after "2;" insert "43A.44, subdivisions 1 and 2; 43A.45;"

Page 1, line 5, delete "amending"

Page 1, line 6, before the period, insert "": repealing Minnesota Statutes 1982, sections 43A.41, subdivision 3; and 43A.43, subdivision 1"

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

Mr. Moe, D. M. from the Committee on Governmental Operations, to which was referred

S.F. No. 101: A bill for an act relating to the city of St. Paul; providing for the reinstatement of St. Paul policeman's pension fund benefits in certain circumstances.

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

Delete everything after the enacting clause and insert:

"Section 1. Laws 1955, chapter 151, section 13, as amended by Laws 1963, chapter 271, section 7; Laws 1971, chapter 549, section 2; and Laws 1980, chapter 600, section 14, is amended to read:

Sec. 13. The association shall pay a pension to the surviving spouse or any child under 18 years of age of any pensioned and retired member, or to the surviving spouse or any child under 18 years of age of any member who dies while in the service of the city police department, or to the surviving spouse or any child under 18 years of age of any member who, after being a member of the city police department for not less than 20 years, severs his or her connection with the department, and dies before attaining the age of 50 years. The association shall pay to any such surviving spouse a pension of 20 units per month. The association shall pay to any such child under 18 years of age a pension of five units per month until the child attains the age of 18 years, provided, however, that if such child is married at the time of the death of the member or marries or becomes legally adopted after the death of the member, the child shall not be entitled to such benefits. If the surviving spouse and children reside together, the pension payable to the children shall be paid to the surviving spouse and shall be used for the support of the children. If a surviving spouse remarries, the pension immediately ceases and the association shall not make any further pension payments; *provided further that if the remarriage terminates for any reason, the surviving spouse, whose benefit terminated solely because of remarriage, shall be entitled upon reapplication to a surviving spouse's benefit; provided, however, that such person shall not be entitled to retroactive payments for any period of time, prior to the effective date of this act or application, whichever is later.* For the purposes of this section, all provisions governing a child under 18 shall be extended to include a full time student under the age of 23.

Sec. 2. [EFFECTIVE DATE.]

*Section 1 is effective the day after compliance with Minnesota Statutes,*

*section 645.021, subdivision 3, by the governing body of the city of St. Paul."*

Amend the title as follows:

Page 1, line 4, after "circumstances" insert "; amending Laws 1955, chapter 151, section 13, as amended"

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

Mr. Moe, D. M. from the Committee on Governmental Operations, to which was referred

S.F. No. 323: A bill for an act relating to retirement; extending the reporting date required in connection with state aid distribution; amending Minnesota Statutes 1982, sections 69.011, subdivision 2; and 69.051, subdivisions 1 and 3.

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

Page 5, line 1, delete everything after "*effective*" and insert "*retroactive to January 1, 1983.*"

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

Mr. Moe, D. M. from the Committee on Governmental Operations, to which was referred

S.F. No. 480: A bill for an act proposing an amendment to the Minnesota Constitution, article IV, section 12; removing references to legislative days.

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

Mr. Moe, D. M. from the Committee on Governmental Operations, to which was referred

S.F. No. 81: A bill for an act relating to retirement; repealing obsolete investment language applicable to third and fourth class city police relief associations; repealing Minnesota Statutes 1982, sections 423.389 and 423.60.

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

Mr. Moe, D. M. from the Committee on Governmental Operations, to which was referred

S.F. No. 160: A bill for an act relating to retirement; volunteer firefighters' relief associations; adding definitions; clarifying ambiguous language; amending Minnesota Statutes 1982, sections 424A.01; 424A.02; 424A.04; 424A.05; and 424A.08; proposing new law coded in Minnesota Statutes, chapter 424A.

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

as follows:

Page 1, after line 9, insert:

"Section 1. Minnesota Statutes 1982, section 69.772, subdivision 1, is amended to read:

Subdivision 1. [APPLICATION.] This section shall apply to any firefighter's relief association specified in section 69.771, subdivision 1, which pays a lump sum service pension, but which does not pay a monthly service pension, to a retiring firefighter when at least the minimum requirements for entitlement to a service pension specified in section 424A.02, or any applicable special legislation and the articles of incorporation or bylaws of the relief association have been met. Each firefighter's relief association to which this section applies shall determine the accrued liability of the special fund of the relief association in accordance with the ~~applicable~~ accrued liability table set forth in subdivision 2 and the financial requirements of the relief association and the minimum obligation of the municipality in accordance with the procedure set forth in subdivision 3.

Sec. 2. Minnesota Statutes 1982, section 69.772, subdivision 2, is amended to read:

Subd. 2. [DETERMINATION OF ACCRUED LIABILITY.] ~~Each firefighters' relief association which pays a service pension when a retiring firefighter meets the minimum requirements for entitlement to a service pension specified in section 424A.02 and which in its articles of incorporation or bylaws requires service credit for a period of service less than 20 years of active service for a totally nonforfeitable service pension as provided in section 424A.09 shall determine the accrued liability of the special fund of the firefighters' relief association relative to each active or deferred member of the relief association, calculated individually using the following table:~~

Cumulative Year	Accrued Liability
1	\$ 35
2	71
3	110
4	150
5	192
6	236
7	283
8	332
9	383
10	437
11	494
12	553
13	616
14	681
15	750
16 and thereafter	50 additional per year

Each firefighters' relief association which pays a service pension when a

retiring firefighter meets the minimum requirements for entitlement to a service pension specified in section 424A.02 and which in its articles of incorporation or bylaws requires service credit for a period of service of at least 20 years of active service for a totally nonforfeitable service pension shall determine the accrued liability of the special fund of the firefighters' relief association relative to each active or deferred member of the relief association, calculated individually using the following table:

Cumulative Year	Accrued Liability	
1	\$ 30	60
2	62	124
3	95	190
4	130	260
5	167	334
6	205	410
7	246	492
8	288	576
9	333	666
10	380	760
11	429	858
12	481	962
13	535	1070
14	592	1184
15	652	1304
16	714	1428
17	780	1560
18	849	1698
19	922	1844
20	1000	2000
21 and thereafter	50	100 additional per year

The accrued liability of the special fund for each active or deferred member of the relief association shall be determined as the multiple or portion of the accrued liability amounts corresponding to the cumulative years of active service with the fire department to which the relief association is affiliated to the credit of the member as set forth in the applicable table that the lump sum service pension amount currently provided for in the articles of incorporation or the bylaws of the relief association bears to a lump sum service pension of \$50 per year of service. As set forth in the table the accrued liability for each member or deferred member of the relief association corresponds to the cumulative years of active service to the credit of the member. The accrued liability of the special fund for each active or deferred member is determined by multiplying the accrued liability from the chart by the ratio of the lump sum service pension amount currently provided for in the bylaws of the relief association to a service pension of \$100 per year of service. If a member has fractional service as of December 31, the figure for service credit to be used for the determination of accrued liability pursuant to this section shall be rounded up to the nearest full year of service credit. The total accrued liability of the special fund of the relief association as of December 31 shall be the sum of the accrued liability attributable to each active or deferred member of the relief association.

Sec. 3. Minnesota Statutes 1982, section 69.772, subdivision 3, is

amended to read:

Subd. 3. [FINANCIAL REQUIREMENTS OF THE RELIEF ASSOCIATION; MINIMUM OBLIGATION OF THE MUNICIPALITY.] During the month of July, the officers of the relief association shall determine the overall funding balance of the special fund ~~of the relief association~~ for the current calendar year, the financial requirements of the special fund ~~of the relief association~~ for the following calendar year and the minimum obligation of the municipality with respect to the special fund ~~of the relief association~~ for the following calendar year in accordance with the requirements of this subdivision.

(1) The overall funding balance of the special fund ~~of the relief association~~ for the current calendar year shall be determined in the following manner:

(a) The total accrued liability of the special fund ~~of the relief association~~ for all active and deferred members of the relief association as of December 31 of the current year shall be calculated pursuant to subdivisions 2 and 2a, if applicable.

(b) The total present assets of the special fund ~~of the relief association~~ projected to December 31 of the current year, including receipts by and disbursements from the special fund anticipated to occur on or before December 31 shall be calculated.

(c) The amount of the total present assets of the special fund ~~of the relief association~~ calculated pursuant to clause (b) shall be subtracted from the amount of the total accrued liability of the special fund ~~of the relief association~~ calculated pursuant to clause (a). If the amount of total present assets exceeds the amount of the total accrued liability, then the special fund shall be considered to have a surplus over full funding. If the amount of the total present assets is less than the amount of the total accrued liability, then the special fund shall be considered to have a deficit from full funding. If the amount of total present assets is equal to the amount of the total accrued liability, then the special fund shall be considered to be fully funded.

(2) The financial requirements of the special fund ~~of the relief association~~ for the following calendar year shall be determined in the following manner:

(a) The total accrued liability of the special fund ~~of the relief association~~ for all active and deferred members of the relief association as of December 31 of the calendar year next following the current calendar year shall be calculated pursuant to subdivisions 2 and 2a, if applicable.

(b) The increase ~~or decrease~~ in the total accrued liability of the special fund ~~of the relief association~~ for the following calendar year over the total accrued liability of the special fund ~~of the relief association~~ for the current year shall be calculated.

(c) If the special fund ~~of the relief association~~ is fully funded, the financial requirement of the special fund for the following calendar year shall be ~~either the positive or the negative~~ figure which represents the increase ~~or the decrease~~ in the total accrued liability of the special fund ~~respectively~~ as calculated pursuant to subclause (b).

(d) If the special fund ~~of the relief association~~ has a deficit from full funding, the financial requirements of the special fund for the following calendar

year shall be the financial requirements of the special fund calculated as though the special fund were fully funded pursuant to subclause (c) plus an amount equal to one-tenth of the amount of the deficit from full funding of the special fund as determined pursuant to this section for the calendar year 1971 until that deficit is fully retired, and plus an amount equal to one-tenth of the increase in the deficit from full funding of the special fund resulting from an increase in the amount of the service pension accruing subsequent to December 31, 1971 until each increase in the deficit is fully retired.

(e) If the special fund of the relief association has a surplus over full funding, the financial requirements of the special fund for the following calendar year shall be the financial requirements of the special fund calculated as though the special fund were fully funded pursuant to subclause (c) reduced by an amount equal to one-tenth of the amount of the surplus over full funding of the special fund.

(3) The minimum obligation of the municipality with respect to the special fund of the relief association shall be the financial requirements of the special fund of the relief association reduced by the amount of any fire state aid payable pursuant to sections 69.011 to 69.051 anticipated to be received by the municipality for transmittal to the special fund of the relief association during the following calendar year, an amount of interest on the assets of the special fund projected to the end of the current beginning of the following calendar year calculated at the rate of five percent per annum, and the amount of any anticipated contributions to the special fund by the members of the relief association during the following calendar year."

Page 3, line 4, strike "retirement" and insert "or ancillary"

Page 3, line 5, strike "or pension or retirement benefit coverage"

Page 3, line 25, strike "other retirement" and insert "ancillary"

Page 3, line 32, strike "for the relief association"

Page 3, line 33, strike "the commencement of a retirement" and insert "imposing liability for an ancillary"

Page 5, lines 1 and 2, strike "volunteer firefighters"

Page 5, lines 2 and 3, strike "or volunteer firefighters' account"

Page 5, line 6, after "the" insert "municipality or"

Page 5, line 31, strike "retirement" and insert "ancillary"

Page 5, line 32, strike "volunteer firefighters"

Page 5, line 34, strike "retirement" and insert "ancillary"

Page 6, line 12, strike "Any"

Page 6, line 18, delete the comma

Page 6, lines 13 to 24, strike the old language and insert: "If the articles of incorporation or bylaws of a relief association so provide, a relief association may pay a reduced service pension to a retiring member who has completed fewer than 20 years of service. The reduced service pension may be paid when the retiring member meets the minimum age and service requirements of subdivision 1.

*The amount of the reduced service pension shall not exceed the amount calculated by multiplying the service pension appropriate for the completed years of service as specified in the bylaws times the applicable nonforfeitable percentage of pension. The applicable nonforfeitable percentage of pension amounts are as follows:*

<i>Completed Years of Service</i>	<i>Nonforfeitable Percentage of Pension Amount</i>
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Page 7, line 7, strike “, other than a relief association” and strike “which in its”

Page 7, strike line 8

Page 7, line 9, strike everything before “shall”

Page 7, line 19, strike “or account”

Page 10, lines 34 and 35, strike “of a firefighters’ relief association”

Page 11, line 19, after “years” insert a semicolon

Page 12, line 14, before “and” insert a comma

Page 12, line 17, strike “or account”

Page 12, line 17, strike “retirement” and insert “*ancillary*”

Page 12, line 20, strike “other” and insert “*ancillary*”

Page 12, line 22, strike “other retirement” and insert “*ancillary*”

Page 12, line 25, strike “retirement” and insert “*ancillary*”

Page 13, line 7, strike “or account”

Page 13, lines 11 and 12, strike “or account”

Page 14, line 19, strike “RETIREMENT” and insert “*ANCILLARY*”

Page 14, lines 19 and 20, strike “OTHER THAN SERVICE PENSION”

Page 14, line 20, strike “to which”

Page 14, strike line 21

Page 14, line 22, strike everything except “may pay”

Page 14, line 23, strike everything before “benefits” and insert “*ancillary*”

Page 14, line 28, strike “retirement” and insert “*ancillary*”

Page 15, line 3, strike “retirement” and insert “*ancillary*”

Page 15, line 5, after “total” insert “*earned*” and after “pension” insert “*of the member or former member. The total earned service pension is*”

Page 15, line 7, strike “governing” and after “bylaws” insert “*of the relief association*”

Page 15, line 8, after the first “member” insert “*. The years of service are determined*” and after “of” insert “*(1)*”

Page 15, line 9, strike “retirement” and insert “*ancillary*”

Page 15, line 9, after "benefit" insert a semicolon and after "or" insert "(2)"

Page 15, line 10, after "survivor" insert "*or the estate of the member or former member*" and strike "a retirement" and insert "*an ancillary*"

Page 15, line 11, strike "on behalf of the member or former member," and insert "*The survivor benefit may be*"

Page 15, line 12, before "attained" insert "*had*"

Page 15, line 13, after "service" insert "*and membership*"

Page 15, line 16, before "benefit" insert "*survivor*"

Page 15, lines 16 and 17, strike "equivalent of" and insert "*in an amount*"

Page 15, line 23, after "association" insert "*paying a monthly service pension*"

Page 15, line 23, strike everything after "may"

Page 15, strike lines 24 and 25

Page 15, line 26, strike everything before "provide"

Page 15, line 27, strike "other retirement" and insert "*ancillary*"

Page 15, line 28, before the period insert "*if (1) the relief association adopts an appropriate bylaw amendment; and (2) the bylaw amendment is approved by the municipality pursuant to subdivision 10 and section 69.773, subdivision 6*"

Page 15, line 28, strike "may only be"

Page 15, strike line 29

Page 15, line 30, strike "association and"

Page 15, line 31, strike "other retirement" and insert "*ancillary*"

Page 15, line 32, strike "retirement" and insert "*ancillary*"

Page 15, line 34, strike "other retirement" and insert "*ancillary*"

Page 16, line 4, strike everything after "file"

Page 16, strike line 5

Page 16, line 6, strike everything before "a"

Page 16, line 7, after "upon the" insert "*adoption of any amendment to its governing bylaws by the relief association or upon the*"

Page 16, line 9, strike the first "the" and insert "*each*"

Page 16, lines 9 and 10, delete the new language

Page 16, line 10, strike "in which" and insert "*served by*"

Page 16, line 19, begin a new paragraph with "If the special"

Page 16, lines 30 and 31, strike "other retirement" and insert "*ancillary*"

Page 17, line 11, strike "retirement coverage" and strike "or the"



Page 17, line 12, strike "retirement" and insert "ancillary"

Page 18, line 2, strike "of the relief association"

Page 18, line 7, strike "retirement" and insert "ancillary"

Page 18, after line 9, insert:

*"Subd. 11. [DISTRIBUTION OF ASSETS UPON DISSOLUTION IN CERTAIN CASES.] If the fire department which is associated with a relief association is dissolved or eliminated by action of the governing body of the municipality in which the fire department is located, the relief association shall distribute its assets and be dissolved in the following manner:*

*(1) Within six months after the dissolution of the fire department, the board of trustees of the relief association shall convert all of the assets of the relief association to cash or negotiable instruments.*

*(2) The board shall then determine and pay all of the legal obligations of the association, including the costs related to dissolution of the corporate existence of the association, but excluding pension obligations to members.*

*(3) After payment of the legal obligations of the association, the board shall determine the pro rata share of each member of the association. The pro rata share shall be that portion of the remaining assets of the association based on the proportion which the months of active service performed in the associated fire department bears to the total number of months of active service which have been performed in the associated fire department by all of the persons who are then members of the relief association. At the time of dissolution of the corporation, each member shall be paid the member's pro rata share.*

Sec. 7. Minnesota Statutes 1982, section 424A.03, subdivision 1, is amended to read:

Subdivision 1. [LIMITATION ON NONUNIFORMITY OF PENSIONS.] ~~No~~ Every partially salaried and partially volunteer firefighters' relief association shall provide service pensions to volunteer firefighter members which differ in nature or amount if the difference is based on compensation paid for firefighting services rendered by any firefighter member nor base the service pensions and retirement benefits it provides upon any rate or amount of compensation which is paid for firefighting services based on the years of service of the members not on the compensation paid to the members for firefighting services. Each relief association shall provide service pensions to salaried members as set forth in chapter 424 and applicable special laws."

Page 18, line 14, after "association" insert "directly associated with a municipal fire department"

Page 18, lines 17 and 18, strike "municipality which has a" and insert "municipalities served by the"

Page 18, lines 26 and 27, strike "fire department" and insert "relief association"

Page 18, line 27, reinstate the stricken language

Page 18, line 27, strike "If the relief"

Page 18, strike line 28

Page 18, line 29, strike "municipality," and delete "*the three ex officio trustees*"

Page 18, line 32, strike "If the" and insert:

"Every"

Page 18, line 32, after "association" insert "that"

Page 18, line 33, strike "relief"

Page 18, line 33, strike the comma and insert "*shall be managed by a board of trustees consisting of ten members. Six trustees shall be elected from the membership of the relief association, three trustees shall be drawn from the officials of the municipalities served by the fire department to which the relief association is directly associated, and one trustee shall be the fire chief. The bylaws of a relief association may provide that one of the six trustees elected from the relief association may be a retired member receiving a monthly pension who is elected by the membership of the relief association.*"

Page 18, line 34, after "trustees" insert "who are the elected officials"

Page 19, line 1, after "municipality" insert "who are"

Page 19, line 15, after "population" insert "who are"

Page 20, line 19, strike "of the relief association"

Page 21, line 2, strike "retirement"

Page 21, line 5, strike "retirement"

Page 22, after line 19, insert:

"Sec. 11. [EFFECTIVE DATE.]

*This act is effective the day following final enactment."*

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 3, after the second semicolon, insert "providing for distribution of assets upon dissolution;"

Page 1, line 5, before "424A.01;" insert "69.772, subdivisions 1, 2, and 3;" and after "424A.02" insert "", by adding a subdivision; 424A.03, subdivision 1"

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

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

H.F. No. 25: A bill for an act relating to the city of Lake Park; authorizing

the issuance of general obligation bonds to finance construction of municipal facilities.

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

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

S.F. No. 358: A bill for an act relating to counties; permitting a change to appointed coroners in certain conditions; amending Minnesota Statutes 1982, section 390.005, subdivision 2.

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

Page 1, delete section 1 and insert:

“Section 1. Minnesota Statutes 1982, section 390.005, is amended by adding a subdivision to read:

*Subd. 2a. [VACANCY; CORONER'S OFFICE.] Notwithstanding subdivision 2, when there is a vacancy in the office of coroner in any county in which the office has not been abolished, the board of county commissioners may by resolution declare its intention to fill the office by appointment. Upon adoption of the resolution, the board shall fill the office by appointment immediately. The coroner shall serve for a term as determined by the board but not to exceed four years.*

Sec. 2. Minnesota Statutes 1982, section 390.35, is amended to read:

390.35 [ELECTION TO FOLLOW SIMPLIFIED INVESTIGATION.]

Sections 390.31 to 390.35 apply only to those counties in which the county board elects to be bound by its provisions in lieu of any other law relating to coroners. *In any county in which sections 390.31 to 390.35 apply, the county board may by resolution resume death investigations under sections 390.005 to 390.26. The board shall then fill the office of coroner as provided by section 390.005.*”

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 2, delete “a change” and insert “changes”

Page 1, line 3, after “coroners” insert “, medical examiners, and death investigations”

Page 1, line 4, delete “section” and insert “sections”

Page 1, line 4, delete “subdivision 2” and insert “by adding a subdivision; and 390.35”

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

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

S.F. No. 92: A bill for an act relating to towns; requiring other government units to give notice to towns of actions that affect land use or taxation; proposing new law coded in Minnesota Statutes, chapter 365.

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

Page 1, line 8, delete "[365.62]" and insert "[471.99]"

Page 1, line 9, delete "any" and insert "or any of its political subdivisions."

Page 1, delete line 10

Page 1, lines 11 and 12, after "town" insert ", statutory or home rule charter city, or county"

Page 1, line 11, delete "60" and insert "30"

Page 1, line 12, delete "taxation" and insert "taxable status"

Page 1, line 13, delete "including but not limited" and insert "relating"

Page 1, line 14, delete "land developments and improvements" and insert "construction of new buildings, roads, and related facilities where the cost exceeds \$15,000"

Page 1, line 15, after the period, insert "*Master plans prepared pursuant to section 86A.09 shall be considered adequate notice as required by this section. Failure to give any notice required by this section shall not be grounds for a civil or criminal action of any nature against any party, for the imposition of a civil or criminal penalty against any party or for the challenge or invalidation of any action taken by the state, a political subdivision or any other party.*"

Amend the title as follows:

Page 1, lines 2 and 3, after "towns" insert ", cities, and counties"

Page 1, line 5, delete "365" and insert "471"

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

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

S.F. No. 420: A bill for an act relating to judgments; requiring interest to be paid from the date of an initial judgment; amending Minnesota Statutes 1982, section 549.09.

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

Page 1, line 16, delete "over the"

Page 1, line 17, delete "objection of a party to the litigation"

Page 2, line 16, delete "all" and insert "actions commenced"

Page 2, line 17, delete "causes of action filed"

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

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

S.F. No. 328: A bill for an act relating to civil actions; allowing prevailing parties to recover disbursements for process served by private process servers; amending Minnesota Statutes 1982, section 549.04.

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

Page 1, line 16, delete "*of the county where the defendant is*"

Page 1, line 17, delete "*found*"

Page 1, line 17, strike "In actions for the recovery of"

Page 1, strike lines 18 and 20

Page 1, line 19, strike the old language and delete "*recovers*"

Page 1, after line 20, insert:

"Sec. 2. Minnesota Statutes 1982, section 580.17, is amended to read:  
580.17 [AFFIDAVIT OF COSTS.]

Within ten days after the filing for record of the certificate of sale, the party foreclosing, or his attorney, shall make and file for record with the county recorder an affidavit containing a detailed bill of the costs and disbursements of the foreclosure, including attorney's fees, and setting forth that the same have been absolutely and unconditionally paid or incurred. *Costs and disbursements shall be allowed as provided in section 549.04.*"

Renumber the remaining section

Page 1, line 22, delete "*Section 1*" and insert "*This act*"

Page 1, line 23, delete "*actions which are tried*" and insert "*disbursements paid or incurred*"

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

Mr. Lessard from the Committee on Veterans and General Legislation, to which was referred

S.F. No. 627: A bill for an act relating to the Minnesota humane society; providing for appointment of the executive director by the governor; amending Minnesota Statutes 1982, section 343.01, subdivision 3.

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

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

S.F. No. 506: A bill for an act relating to probate; changing the time for closing certain estates; amending Minnesota Statutes 1982, section 524.3-1003.

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

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

S.F. No. 326: A bill for an act relating to education; establishing a position for industrial arts education in the department of education; appropriating money; proposing new law coded in Minnesota Statutes, chapter 121.

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

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

S.F. No. 513: A bill for an act relating to education; authorizing the state board for vocational education, the state board for community colleges, and the state university board to close institutions in their respective systems; amending Minnesota Statutes 1982, sections 121.21, subdivision 4; 136.03; and 136.62, by adding a subdivision.

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

Page 1, line 21, delete "*a petition by*" and insert "*an established area vocational-technical school in*,"

Page 1, line 22, delete "*to establish an area*"

Page 1, line 23, delete "*vocational-technical school*"

Page 1, line 24, delete "*cease*" and insert "*discontinue*"

Page 2, line 11, after "*136.017,*" insert "*the legislature intends that*"

Page 2, line 11, after "*board,*" insert "*consistent with its responsibility for the educational management of the state universities may,*"

Page 2, line 12, delete "*may*"

Page 2, line 17, delete "*the board*"

Page 2, line 17, after the comma, insert "*the legislature intends that the state board for community colleges, consistent with its responsibility for the educational management of community colleges may,*"

Page 2, line 18, delete "*may*"

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

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

S.F. No. 504: A bill for an act relating to education; increasing the size of the higher education coordinating board by adding two student members; amending Minnesota Statutes 1982, section 136A.02, subdivision 1.

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

Page 1, line 20, delete "*degree*" and insert "*post-secondary*"

Page 1, line 25, after the period, insert *"Except for student members, no member of the board shall be an employee of or receiving compensation from a public or private post-secondary institution while serving on the board."*

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

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

S.F. No. 683: A bill for an act relating to education; requiring the board of teaching to adopt temporary rules relating to placing provisionally licensed teachers on unrequested leaves of absence.

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 1982, section 125.12, is amended by adding a subdivision to read:*

*Subd. 1a. [NONPROVISIONAL LICENSE DEFINED.] For purposes of this section, "nonprovisional license" shall mean an entrance, continuing, or life license.*

*Sec. 2. Minnesota Statutes 1982, section 125.12, subdivision 6a, is amended to read:*

*Subd. 6a. [NEGOTIATED UNREQUESTED LEAVE OF ABSENCE.] The school board and the exclusive bargaining representative of the teachers may negotiate a plan providing for unrequested leave of absence without pay or fringe benefits for as many teachers as may be necessary because of discontinuance of position, lack of pupils, financial limitations, or merger of classes caused by consolidation of districts. Failing to successfully negotiate such a plan, the provisions of subdivision 6b shall apply. The negotiated plan shall not include provisions which would result in the exercise of seniority by a teacher holding a provisional license, other than a vocational education license, contrary to the provisions of subdivision 6b, clause (c), or the reinstatement of a teacher holding a provisional license, other than a vocational education license, contrary to the provisions of subdivision 6b, clause (e). The provisions of section 179.72 shall not apply for the purposes of this subdivision.*

*Sec. 3. Minnesota Statutes 1982, section 125.12, subdivision 6b, is amended to read:*

*Subd. 6b. [UNREQUESTED LEAVE OF ABSENCE.] The school board may place on unrequested leave of absence, without pay or fringe benefits, as many teachers as may be necessary because of discontinuance of position, lack of pupils, financial limitations, or merger of classes caused by consolidation of districts. The unrequested leave shall be effective at the close of the school year. In placing teachers on unrequested leave, the board shall be governed by the following provisions:*

*(a) The board may place probationary teachers on unrequested leave first in the inverse order of their employment. No teacher who has acquired continuing contract rights shall be placed on unrequested leave of absence*

while probationary teachers are retained in positions for which the teacher who has acquired continuing contract rights is licensed;

(b) Teachers who have acquired continuing contract rights shall be placed on unrequested leave of absence in fields in which they are licensed in the inverse order in which they were employed by the school district. In the case of equal seniority, the order in which teachers who have acquired continuing contract rights shall be placed on unrequested leave of absence in fields in which they are licensed shall be negotiable;

*(c) Notwithstanding the provisions of clause (b), no teacher shall be entitled to exercise any seniority when that exercise results in that teacher being retained by the district in a field for which the teacher holds only a provisional license, as defined by the board of teaching, unless that exercise of seniority results in the placement on unrequested leave of absence of another teacher who also holds a provisional license in the same field. The provisions of this clause shall not apply to vocational education licenses;*

~~(e)~~ (d) Notwithstanding clauses (a) and, (b) and (c), if ~~either~~ the placing of a probationary teacher on unrequested leave before a teacher who has acquired continuing rights, ~~or~~ the placing of a teacher who has acquired continuing contract rights on unrequested leave before another teacher who has acquired continuing contract rights but who has greater seniority, *or the restriction imposed by the provisions of clause (c) would place the district in violation of its affirmative action program, the district may retain the probationary teacher or, the teacher with less seniority, or the provisionally licensed teacher;*

~~(d)~~ (e) Teachers placed on unrequested leave of absence shall be reinstated to the positions from which they have been given leaves of absence or, if not available, to other available positions in the school district in fields in which they are licensed. Reinstatement shall be in the inverse order of placement on leave of absence. *No teacher shall be reinstated to a position in a field in which the teacher holds only a provisional license, other than a vocational education license, while another teacher who holds a nonprovisional license in the same field remains on unrequested leave.* The order of reinstatement of teachers who have equal seniority and who are placed on unrequested leave in the same school year shall be negotiable;

~~(e)~~ (f) No appointment of a new teacher shall be made while there is available, on unrequested leave, a teacher who is properly licensed to fill such vacancy, unless the teacher fails to advise the school board within 30 days of the date of notification that a position is available to him, that he may return to employment and that he will assume the duties of the position to which appointed on a future date determined by the board;

~~(f)~~ (g) A teacher placed on unrequested leave of absence may engage in teaching or any other occupation during the period of this leave;

~~(g)~~ (h) The unrequested leave of absence shall not impair the continuing contract rights of a teacher or result in a loss of credit for previous years of service;

~~(h)~~ (i) The unrequested leave of absence of a teacher who is placed on unrequested leave of absence prior to January 1, 1978 and who is not reinstated shall continue for a period of two years after which the right to rein-



statement shall terminate. The unrequested leave of absence of a teacher who is placed on unrequested leave of absence on or after January 1, 1978 and who is not reinstated shall continue for a period of five years, after which the right to reinstatement shall terminate; provided the teacher's right to reinstatement shall also terminate if he fails to file with the board by April 1 of any year a written statement requesting reinstatement;

⊕ (j) The same provisions applicable to terminations of probationary or continuing contracts in subdivisions 3 and 4 shall apply to placement on unrequested leave of absence;

⊕ (k) Nothing in this subdivision shall be construed to impair the rights of teachers placed on unrequested leave of absence to receive unemployment compensation if otherwise eligible.

Sec. 4. Minnesota Statutes 1982, section 125.17, subdivision 1, is amended to read:

Subdivision 1. [WORDS, TERMS, AND PHRASES.] Unless the language or context clearly indicates that a different meaning is intended, the following words, terms, and phrases, for the purposes of the following subdivisions in this section shall be defined as follows:

(a) [TEACHERS.] The term "teacher" includes every person regularly employed, as a principal, or to give instruction in a classroom, or to superintend or supervise classroom instruction, or as placement teacher and visiting teacher. Persons regularly employed as counselors and school librarians shall be covered by these sections as teachers if licensed as teachers or as school librarians.

(b) [SCHOOL BOARD.] The term "school board" includes a majority in membership of any and all boards or official bodies having the care, management, or control over public schools.

(c) [DEMOTE.] The word "demote" means to reduce in rank or to transfer to a lower branch of the service or to a position carrying a lower salary or compensation.

(d) [NONPROVISIONAL LICENSE.] *For purposes of this section, "nonprovisional license" shall mean an entrance, continuing, or life license.*

Sec. 5. Minnesota Statutes 1982, section 125.17, subdivision 11, is amended to read:

Subd. 11. [SERVICES TERMINATED BY DISCONTINUANCE OR LACK OF PUPILS; PREFERENCE GIVEN.] (a) Any teacher whose services are terminated on account of discontinuance of position or lack of pupils shall receive first consideration for other positions in the district for which she is qualified. In the event it becomes necessary to discontinue one or more positions, in making such discontinuance, teachers shall be discontinued in any department in the inverse order in which they were employed.

(b) *Notwithstanding the provisions of clause (a), no teacher shall be entitled to exercise any seniority when that exercise results in that teacher being retained by the district in a field for which the teacher holds only a provisional license, as defined by the board of teaching, unless that exercise*

*of seniority results in the termination of services, on account of discontinuance of position or lack of pupils, of another teacher who also holds a provisional license in the same field. The provisions of this clause shall not apply to vocational education licenses.*

*(c) Notwithstanding the provisions of clause (a), no teacher shall be reinstated to a position in a field in which the teacher holds only a provisional license, other than a vocational education license, while another teacher who holds a nonprovisional license in the same field is available for reinstatement.*

Sec. 6. Laws 1974, chapter 237, section 1, is amended to read:

Section 1. [INDEPENDENT SCHOOL DISTRICT NO. 709; TERMINATION OF TEACHING POSITIONS.] Independent School District No. 709, St. Louis county, and the exclusive representative of teachers as defined by Minnesota Statutes, 1973 Supplement, Section 179.63, Subdivision 13, may enter into a written agreement with respect to the termination of such teachers due to discontinuance of position or lack of pupils within the school district, which may include a method, system or scheme other than that provided by Minnesota Statutes, Section 125.17, Subdivision 11, or any act amendatory thereof. *The written agreement entered into pursuant to this section shall not include provisions allowing a teacher to exercise any seniority when that exercise results in the teacher being retained by the district in a field for which the teacher holds only a provisional license, as defined by the board of teaching, other than vocational education license, unless that exercise of seniority results in the termination of services, on account of discontinuance of position or lack of pupils, of another teacher who also holds a provisional license in the same field. In addition, the written agreement entered into pursuant to this section shall not include provisions allowing a teacher to be reinstated to a position in a field in which the teacher holds only a provisional license, other than a vocational education license, while another teacher who holds a nonprovisional license in the same field is available for reinstatement.*

Sec. 7. [EXEMPTION FROM APPLICATION.]

*The provisions of sections 1 to 6 shall not apply to any final decisions relating to placing teachers, as defined in Minnesota Statutes 1982, section 125.12, subdivision 1, on unrequested leaves of absence or, in the case of cities of the first class, termination of services of teachers, as defined in Minnesota Statutes 1982, section 125.17, subdivision 1, on account of discontinuance of position or lack of pupils made by school boards prior to the effective date of this act. The provisions of this act shall not apply to any school district that, on the effective date of this act, is governed by a contractual agreement which includes specific terms explicitly allowing the exercise of seniority rights by teachers holding provisional licenses, the results of which would be contrary to the provisions of this act, until the expiration of that contractual agreement. All contractual agreements entered into after the effective date of this act shall be consistent with this act.*

Sec. 8. [EFFECTIVE DATE.]

*This act shall be effective the day after final enactment."*

Delete the title and insert:

"A bill for an act relating to education; modifying the exercise of seniority by licensed teachers in certain circumstances; amending Minnesota Statutes 1982, sections 125.12, subdivisions 6a and 6b, and by adding a subdivision; and 125.17, subdivisions 1 and 11; and Laws 1974, chapter 237, section 1."

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

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

S.F. No. 339: A bill for an act relating to taxation; real property; extending the homestead credit to certain noncontiguous property; amending Minnesota Statutes 1982, sections 273.13, subdivision 7; and 290A.03, subdivision 6.

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

Page 3, line 32, delete "*, provided the property is within one mile from the*"

Page 3, line 33, delete "*homestead dwelling*"

Page 4, line 1, after the period, insert "*In order to receive homestead treatment for the noncontiguous property, the owner shall apply for it to the assessor by July 1 of 1983 or the year when the treatment is initially sought. After initial qualification for the homestead treatment, additional applications for subsequent years are not required.*"

Page 4, line 9, delete "*subivision*" and insert "*subdivision*"

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

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

S.F. No. 85: A bill for an act relating to taxation; providing a property tax credit to certain veterans awarded the congressional medal of honor; appropriating money; proposing new law coded in Minnesota Statutes, chapter 273.

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

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

S.F. No. 448: A bill for an act relating to taxation; adopting certain federal provisions relating to income taxes; updating certain references to the Internal Revenue Code; adopting certain federal provisions relating to the determination of interest rates on taxes; imposing penalties; amending Minnesota Statutes 1982, sections 270.75, subdivision 5; 290.01, subdivisions 20, 20a, as amended, 20b, as amended, 20c, and 20f; 290.05, subdivision 6; 290.068, subdivisions 3 and 4; 290.09, subdivisions 2, 5, 7, as

amended, 10, and 29; 290.091; 290.10; 290.135, subdivision 1, as amended; 290.16, subdivisions 7 and 16; 290.17, subdivision 1; 290.26, subdivision 2; 290.37, by adding a subdivision; 290.41, subdivisions 3, 8, and by adding subdivisions; 290.45, subdivision 1; 290.48, by adding a subdivision; 290.53, subdivision 2, and by adding subdivisions; 290.92, subdivisions 7, 13, 15, and by adding a subdivision; 290.93, subdivisions 9, 10, and 11; 290.934, subdivision 4; 290.9725; 290.9726, subdivisions 5 and 6; 290.974; 290A.03, subdivision 3; proposing new law coded in Minnesota Statutes, chapter 290; repealing Minnesota Statutes 1982, section 290.01, subdivision 28.

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

Page 4, delete lines 12 to 14

Page 4, lines 29 to 33, reinstate the stricken language

Page 5, lines 1 to 36, reinstate the stricken language and delete the new language

Page 6, lines 1 to 36, reinstate the stricken language and delete the new language

Page 7, lines 1 to 36, reinstate the stricken language and delete the new language

Page 7, line 36, after "account," insert "*including a qualified voluntary employee contribution,*"

Page 8, lines 6 to 9, reinstate the stricken language

Page 8, line 10, reinstate the stricken language and delete the new language

Pages 8 to 13, delete section 4

Page 15, delete lines 10 to 18

Page 16, line 2, after "corporation" insert "*under section 290.9725*"

Pages 18 to 22, delete section 11

Page 26, delete section 13

Page 27, line 33, after "corporation" insert "*, under section 290.9725,*"

Page 33, line 28, delete "*a return, statement, or*"

Page 33, line 29, delete "*other document is required under this chapter to be made*" and insert "*an information return required to be made under section 290.41 or a withholding statement required under section 290.92, subdivision 7,*"

Page 33, line 32, delete "*make a return, statement, or*"

Page 33, line 33, delete "*other document*" and insert "*furnish an information return under section 290.41, or a withholding statement under section 290.92, subdivision 7,*"

Page 34, line 11, delete "*any return, statement, or other document made*" and insert "*information returns required under section 290.41 or a with-*

*holding statement required under section 290.92, subdivision 7."*

Page 34, line 15, delete *"unless it is shown that"* and insert *"if"* and delete *"reasonable cause"*

Page 34, line 16, delete *"and not to"* and delete *"\$50"* and insert *"\$10"*

Page 34, line 18, delete *"\$25,000"* and insert *"\$1,000"*

Page 35, line 4, reinstate the stricken language and delete the new language

Page 35, line 7, reinstate the stricken *"\$1,000"* and delete *"\$25,000"*

Pages 35 and 36, delete section 26

Page 37, lines 29 and 35, delete *"31"* and insert *"27"*

Page 38, lines 4 and 8, delete *"31"* and insert *"27"*

Page 38, line 23, after the comma, insert *"where the return has been demanded by the commissioner under the provisions of section 290.47,"*

Page 38, line 25, delete *"tax on"* and insert *"the amount of tax which is due with"*

Page 41, line 35, after the period, insert *"For purposes of this subdivision"*

Page 47, line 30, after the period, insert *"For purposes of this subdivision"*

Pages 50 and 51, delete section 39

Page 54, line 14, reinstate the stricken *"under section"*

Page 54, line 15, reinstate the stricken *"290.9725"*

Page 55, lines 1 and 2, delete the new language and reinstate the stricken language

Page 56, line 22, delete *"section"* and insert *"sections"* and after *"20"* insert *", and 290.09, subdivisions 5 and 10"*

Page 56, line 24, delete *"section"* and insert *"sections"* and delete *"is"* and insert *"and 290.93, subdivision 11, are"*

Page 56, line 27, delete *"6"* and insert *"5"*

Page 56, delete line 29 and insert *"4, 7, 8, 11, 17, 23, 26, 35, 37, 39, 41, and 42 are"*

Page 56, line 30, after the period, insert *"Section 3 is effective for taxable years beginning after December 31, 1982, except that the provision concerning qualified voluntary employee contribution is effective for taxable years beginning after December 31, 1981."*

Page 56, line 31, delete *"7 and 21"* and insert *"6 and 18"*

Page 56, line 32, delete *"10, 16, 23, 28, 29, 31,"* and insert *"9, 13, 20, 24, 25, 27,"*

Page 56, line 33, delete *"33, 39, and 43"* and insert *"29, and 38"*

Page 56, delete lines 34 to 36

Page 57, delete lines 1 to 5

Page 57, line 6, delete “*for federal income tax purposes.*”

Page 57, line 12, delete “15” and insert “12”

Page 57, line 16, delete “17, 18, and 19” and insert “14, 15, and 16”

Page 57, line 19, delete “22, 24, and 35” and insert “19, 21, and 31”

Page 57, line 20, delete “25” and insert “22”

Page 57, line 22, delete everything after the period

Page 57, line 23, delete “*December 31, 1983.*” and delete “32, 34, and 37” and insert “28, 30, and 33”

Page 57, line 24, delete “36” and insert “32”

Page 57, line 25, delete “38” and insert “34”

Page 57, line 28, delete “41” and insert “36”

Page 57, line 32, delete “45” and insert “40”

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 9, delete “20b, as amended,”

Page 1, line 11, delete “5,” and delete “10,”

Page 1, line 15, delete the second “subdivisions” and insert “a subdivision”

Page 1, line 19, after “9,” insert “and” and delete “, and” and insert a semicolon

Page 1, line 20, delete “11;”

Page 1, line 23, delete “section” and insert “sections”

Page 1, line 24, after “28” insert “, and 290.93, subdivision 11”

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

Mr. Solon from the Committee on Economic Development and Commerce, to which was referred

S.F. No. 332: A bill for an act relating to financial institutions; banks; authorizing the leasing of personal property to employees, stockholders, directors, or officers; repealing Minnesota Statutes 1982, section 48.152, subdivision 9.

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

Page 1, after line 7, insert:

“Section 1. Minnesota Statutes 1982, section 48.152, subdivision 8, is amended to read:

Subd. 8. The total amount of unpaid rental obligations of a customer to a

bank on personal property, shall constitute a liability of the customer within the meaning of section 48.24, ~~subdivision~~ subdivisions 1 and 4."

Page 1, after line 10, insert:

"Sec. 3. [EFFECTIVE DATE.]

*This act is effective the day after final enactment."*

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 4, after the semicolon, insert "amending Minnesota Statutes 1982, section 48.152, subdivision 8;"

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

Mr. Solon from the Committee on Economic Development and Commerce, to which was referred

H.F. No. 176: A bill for an act relating to financial institutions; providing that Small Business Administration guaranteed loans are collateral for public deposits; amending Minnesota Statutes 1982, section 118.01, subdivision 1.

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

Page 1, line 23, delete "*in which*" and insert "*guaranteed by*"

Page 1, delete line 24

Page 1, line 25, delete "*deferred basis*"

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

Mr. Solon from the Committee on Economic Development and Commerce, to which was referred

S.F. No. 594: A bill for an act relating to employment; creating a Minnesota emergency employment development program; providing meaningful employment opportunities in the public and private sector; adjusting individual income tax rates; prohibiting deduction of federal income taxes; imposing a surtax to fund the program; appropriating money; amending Minnesota Statutes 1982, sections 290.06, subdivisions 2c, 2d, 3g, and by adding a subdivision; 290.09, subdivision 4; 290.10; and 290.18, subdivision 2; proposing new law coded in Minnesota Statutes, chapter 268; repealing Minnesota Statutes 1982, sections 290.06, subdivision 2e; and 290.18, subdivision 4.

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

Page 2, line 30, delete "*is a member of a household in*"

Page 2, line 31, delete "*which every person*" and after "(1)" insert "*has been a resident of this state for at least 30 days, (2)*"

Page 2, line 31, delete "(2)" and insert "(3)"

Page 2, line 32, after the comma, insert "(4) is determined by the employment administrator to be likely to remain employed by an eligible employer for the duration of the job,"

Page 2, line 32, delete "(3)" and insert "(5)"

Page 3, line 2, after "5" insert "who meets the requirements of paragraph (a), clauses (1) and (4)"

Page 3, line 10, delete "a"

Page 3, line 11, delete "prime sponsor" and insert "an administrative entity"

Page 3, line 11, delete "comprehensive employment and"

Page 3, line 12, delete "training act (CETA)," and insert "job training partnership act or its predecessor administrative entity authorized under"

Page 3, line 34, delete "30" and insert "..."

Page 4, line 18, after the semicolon, insert "and"

Page 4, delete lines 19 to 21

Page 4, line 22, delete "(3)" and insert "(2)"

Page 4, line 23, after "under" insert "Minnesota Statutes 1980,"

Page 4, line 29, after "agencies" insert "during the biennium"

Page 4, line 35, after the period, insert "For eligible job applicants participating in a job training program, the state contribution for wages may be used for a maximum period of 52 weeks per job applicant."

Page 7, line 24, after "data" insert "to the extent feasible under its existing budget and staff complement"

Page 8, line 3, before the period, insert ", to be available to all persons employed under sections 1 to 14"

Page 8, line 13, delete "and"

Page 8, line 13, after "projects" insert ", and community social service programs such as child care and home health care"

Page 8, line 34, after "people" insert ", but not to fill positions which would be filled even in the absence of funds from this program"

Page 10, line 28, after "ASSISTANCE" insert "AND AFDC"

Page 10, line 29, before "No" insert "Subdivision 1. [GENERAL ASSISTANCE.]"

Page 10, line 33, delete the period and insert ", except:

(a) A person who is suffering from a permanent or temporary illness, injury, or incapacity which is medically certified and which prevents the person from obtaining or retaining employment;

(b) A person whose presence in the home on a substantially continuous basis is required because of the certified illness, injury, or incapacity or the



*age of another member of the household;*

*(c) A person who has been placed in a licensed or certified facility for purposes of physical or mental health or rehabilitation, if the placement is based on illness or incapacity, and is pursuant to a plan developed or approved by the local agency through its director or designated representative;*

*(d) A person who resides in a shelter facility described in section 256D.05, subdivision 3;*

*(e) A person not described in clauses (a) or (c) who is diagnosed by a licensed physician or licensed consulting psychologist as mentally retarded or mentally ill, which condition prevents the person from obtaining or retaining employment;*

*(f) A person who has an application pending for the social security disability program or the program of supplemental security income for the aged, blind, and disabled, or who has been terminated from either program and has an appeal from that termination pending;*

*(g) A person who is unable to obtain or retain employment because his advanced age significantly affects his ability to seek or engage in substantial work;*

*(h) A person who has been referred to, has applied for, or is in a work training, work experience, vocational rehabilitation, or other employment related educational program, provided that the period of time the person is exempted pursuant to this clause, while awaiting acceptance into the program, shall not exceed two months; or*

*(i) An adult member of a household with children in which another adult is employed full time or has registered for employment services with the department of economic security or been accepted in a work training program.*

*Subd. 2. [AFDC.] In order to maximize the opportunity for recipients of aid to families with dependent children (AFDC) to take full advantage of the jobs created by businesses under sections 1 to 14, the commissioner of public welfare may establish a work incentive (WIN) demonstration project as part of the Minnesota emergency employment development program. All AFDC recipients may participate. Persons who participate in the WIN demonstration project will be required to participate in the WIN demonstration orientation. Those WIN demonstration participants not covered by employer medical plans will continue to be eligible for medical assistance, and all participants will continue to be eligible for other benefits provided under the AFDC program. The commissioner of public welfare may adopt rules necessary for implementation of this subdivision. These rules are not subject to the provisions of the administrative procedure act, sections 14.05 to 14.70."*

Page 19, line 1, after "2e" insert ", as amended by Laws 1982, Third Special Session chapter 1, article 5, section 3;"

Amend the title as follows:

Page 1, line 13, after "2e" insert ", as amended"

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

Mr. Solon from the Committee on Economic Development and Com-

merce, to which was referred

S.F. No. 598: A bill for an act relating to insurance premium finance companies; authorizing finance charges based on the federal discount rate; amending Minnesota Statutes 1982, section 59A.09, subdivisions 3 and 6.

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

Page 1, after line 25, insert:

“Sec. 2. Minnesota Statutes 1982, section 59A.09, Subdivision 4, is amended to read:

Subd. 4. The finance charge shall be computed *in advance* on the principal balance of a premium finance agreement *according to the actuarial method on terms* payable in substantially equal successive monthly installments ~~over a period of one year. On a premium finance agreement providing for installments extending for a period of less than or greater than one year, the finance charge shall be computed proportionately.~~”

Page 2, line 8, strike the old language

Page 2, line 9, delete “do” and strike the old language

Page 2, strike lines 10 and 11 and insert “*Subdivision 3 applies only to a premium finance agreement in which the related insurance contract is for personal, family, or household use. The rate charged under an agreement made to finance an insurance policy for business, agricultural, or corporate purposes shall be as agreed to by the parties to the agreement.*”

Page 2, after line 11, insert:

“Sec. 4. Minnesota Statutes 1982, section 59A.12, subdivision 1, is amended to read:

Subdivision 1. Whenever a financed insurance contract is cancelled, *within 30 days of the effective date of cancellation* the insurer shall return whatever gross unearned premiums, *computed pro rata*, are due under the insurance contract to the premium finance company for the account of the insured or insureds. This action by the insurer ~~shall be deemed to satisfy~~ *satisfies* the insurer’s obligations under the insurance contract which relate to the return of the unearned premiums.

Sec. 5. Minnesota Statutes 1982, section 59A.12, subdivision 4, is amended to read:

Subd. 4. ~~In the event that~~ *If* the crediting of returned premiums to the account of the insured results in a surplus over the amount due from the insured, the premium finance company ~~shall must~~ refund ~~such the~~ excess to the insured *within 30 days after receipt of the returned premium; provided, that* but no refund ~~shall be~~ *is* required if it amounts to less than \$1.”

Page 2, line 13, delete “Sections 1 and 2 are” and insert “*This act is*”

Page 2, line 13, delete “April” and insert “June”

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 5, delete "section" and insert "sections" and after "3" insert "4"

Page 1, line 5, before the period, insert "; and 59A.12, subdivisions 1 and 4"

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

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

S.F. No. 466: A bill for an act relating to game and fish; prohibiting firing upon, over, or across a public highway for the purpose of taking migratory waterfowl; amending Minnesota Statutes 1982, section 100.31.

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

Page 1, line 13, delete "*or migratory waterfowl*"

Page 1, line 15, delete "*may*" and delete "*grant an exemption to*"

Page 1, line 16, delete "*the foregoing*" and insert "*may extend the application of this*" and delete "*as it relates*"

Amend the title as follows:

Page 1, line 2, delete "prohibiting" and insert "allowing the commissioner of natural resources to prohibit"

Page 1, line 4, after "waterfowl" insert "in designated locations"

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

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

S.F. No. 636: A bill for an act relating to transportation; authorizing the commissioner to expend money for railroad acquisition by a regional railroad authority; modifying the regional railroad authority act to allow municipalities to form regional railroad authorities; allowing the expenditure of certain state funds for railroad improvement and acquisition; providing an aircraft base price for taxation purposes; amending Minnesota Statutes 1982, sections 222.50, subdivision 7; 360.531, subdivision 4; 398A.02; 398A.03; 398A.04, subdivisions 8 and 9; and Laws 1980, chapter 610, section 1, as amended.

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

Page 2, after line 12, insert:

"Sec. 2. Minnesota Statutes 1982, section 222.64, is amended to read:

222.64 [EMPLOYMENT PREFERENCE.]

Individuals who have been previously employed by railroads, whose users obtain guaranteed loans or other assistance pursuant to sections

222.46 to 222.64, shall have priority, based upon their length of service with that railroad, in employment with a purchasing carrier or other operator of a railroad benefiting from those loans or other assistance. *A railroad or other operator accepting state funds from the rail service improvement account shall use its own employees to perform all maintenance, rehabilitation and improvement work in accordance with existing agreements in effect at the time between the railroad participating in the program and its employees. Work cannot be assigned to contractors except in compliance with the aforesaid agreements.*

Sec. 3. Minnesota Statutes 1982, section 360.063, subdivision 3, is amended to read:

Subd. 3. [JOINT AIRPORT ZONING BOARD.] (1) Where an airport is owned or controlled by a municipality and ~~any~~ an airport hazard area appertaining to ~~such~~ the airport is located within the territorial limits of another county or municipality, the municipality owning or controlling the airport may request ~~any~~ a county or municipality in which an airport hazard area is located:

(a) To adopt and enforce airport zoning regulations for the area in question that conform to ~~minimum~~ standards prescribed by the commissioner pursuant to subdivision 4; or

(b) To join in creating a joint airport zoning board pursuant to clause (2). The owning or controlling municipality shall determine which of these actions it shall request, except as provided in clause (5) for the metropolitan airports commission. The request shall be made by certified mail to the governing body of each county and municipality in which an airport hazard area is located.

(2) Where an airport is owned or controlled by a municipality and ~~any~~ an airport hazard area appertaining to ~~such~~ the airport is located within the territorial limits of another county or municipality, the municipality owning or controlling the airport and the county or other municipality within which the airport hazard area is located may, by ordinance or resolution duly adopted, create a joint airport zoning board, which board shall have the same power to adopt, administer, and enforce airport zoning regulations applicable to the airport hazard area in question as that vested by subdivision 1 in the municipality within which ~~such~~ the area is located. ~~Each such~~ A joint board shall have as members two representatives appointed by the municipality owning or controlling the airport and two from the county or municipality, or in case more than one county or municipality is involved two from each county or municipality, in which the airport hazard is located, and in addition a chairman elected by a majority of the members so appointed. All members shall serve at the pleasure of their respective appointing authority. Notwithstanding any other provision of law to the contrary, if the owning and controlling municipality is a city of the first class it shall appoint four members to the board, and the chairman of the board shall be elected from the membership of the board.

(3) If ~~any~~ a county or municipality, within 60 days of receiving a request from an owning or controlling municipality pursuant to clause (1), fails to adopt, or thereafter fails to enforce, ~~such~~ the zoning regulations or fails to join in creating a joint airport zoning board, the owning or controlling mu-

municipality, or a joint airport zoning board created without participation by the subdivisions which fail to join the board, may itself adopt, administer, and enforce airport zoning regulations for the airport hazard area in question. In the event of conflict between ~~such the~~ regulations and ~~any~~ airport zoning regulations adopted by the county or municipality within which the airport hazard area is located, ~~the regulations of the municipality owning or controlling the airport or the joint zoning board shall govern and prevail~~ section 360.064, subdivision 2, applies.

(4) "Owning or controlling municipality," as used in this subdivision, includes:

(a) A joint airport operating board created pursuant to section 360.042 that has been granted all the powers of a municipality in zoning matters under the agreement creating the board;

(b) A joint airport operating board created pursuant to section 360.042 that has not been granted zoning powers under the agreement creating the board, provided that ~~such a~~ the board shall not itself adopt zoning regulations nor shall ~~any~~ a joint airport zoning board created at its request adopt zoning regulations unless all municipalities that created the joint operating board join to create the joint zoning board; and

(c) The metropolitan airports commission established and operated pursuant to chapter 473.

(5) The metropolitan airports commission shall request creation of one joint airport zoning board for each airport operated under its authority.

Sec. 4. Minnesota Statutes 1982, section 360.063, subdivision 4, is amended to read:

Subd. 4. [AIRPORT APPROACH.] The commissioner may recommend an airport approach plan for each publicly owned airport in the state and for each privately owned airport of the publicly owned class and from time to time recommend revisions of ~~any such the~~ plan. ~~Each such~~ A plan shall indicate the circumstances in which structures or trees are or would be airport hazards, the airport hazard area, and what measures should be taken to eliminate airport hazards. ~~He~~ The commissioner shall prescribe ~~minimum~~ airport approach and turning standards for airports of various classes, and ~~all~~ airport zoning regulations adopted by ~~any a~~ municipality, county, or joint airport zoning board shall conform to ~~such minimum~~ the standards, *except as provided in sections 360.065 and 360.066.*

Sec. 5. Minnesota Statutes 1982, section 360.063, subdivision 6, is amended to read:

Subd. 6. [PROCEDURE WHEN ZONING BOARD FAILS TO ACT.] If ~~any a~~ municipality, county, or joint airport zoning board fails to adopt within a reasonable time airport zoning regulations in accordance with the provisions of sections 360.011 to 360.076, or adopts regulations or amendments which do not conform to the ~~minimum~~ standard prescribed by the commissioner, ~~he the~~ commissioner may, for the protection of the public safety, adopt or supplement and from time to time as may be necessary amend, supplement, or repeal ~~such the~~ regulations for ~~such the~~ municipality or county until airport zoning regulations provided for in sections 360.011

to 360.076, are adopted by ~~such~~ the municipality, county, or joint airport zoning board. ~~He~~ The commissioner shall have the same powers with reference to ~~such~~ the airport zoning regulations as are granted in sections 360.011 to 360.076, to municipalities, administrative boards, and boards of adjustment. ~~Any~~ An action of the commissioner taken under this subdivision ~~shall~~ be is subject to review by the courts as provided in section 360.072.

Sec. 6. Minnesota Statutes 1982, section 360.065, subdivision 2, is amended to read:

Subd. 2. [REGULATIONS SUBMITTED TO COMMISSIONER.] Prior to adopting ~~any~~ zoning regulations for ~~any~~ an airport hazard area under sections 360.011 to 360.076, the municipality, county, or joint airport zoning board which is to adopt the regulations shall submit its proposed regulations to the commissioner in order that ~~he~~ the commissioner may determine whether it conforms to the ~~minimum~~ standards prescribed by him. ~~He~~ The commissioner shall immediately examine ~~such~~ the proposed regulations and report to the municipality, county, or joint airport zoning board his approval, or his objections, if any. If ~~any~~ objections are made by him on the ground that ~~such~~ the regulations do not conform to the ~~minimum~~ standards prescribed by him for the class of airport involved, the municipality, county, or joint zoning board shall make ~~such~~ amendments as are necessary to meet ~~such~~ the objections *unless it demonstrates that the social and economic costs of restricting land uses in accordance with the standards outweigh the benefits of a strict application of the standards.* The governing body of the municipality or county or the joint airport zoning board shall not adopt the regulations or take other action until the proposed regulations are approved by the commissioner ~~as conforming to such minimum standards.~~ *The commissioner may approve local zoning ordinances that are more stringent than the standards.* A copy of ~~such~~ the regulations as adopted shall be filed with the county recorder in each county in which ~~such~~ the zoned area is located.

Substantive rights existing prior to the passage of this subdivision and ~~heretofore~~ previously exercised ~~shall~~ are not be affected by the filing of ~~such~~ the regulations.

Sec. 7. Minnesota Statutes 1982, section 360.066, subdivision 1, is amended to read:

Subdivision 1. [REASONABLENESS.] ~~All~~ ~~minimum~~ Standards of the commissioner defining airport hazard areas and the categories of uses permitted ~~therein~~ and ~~all~~ airport zoning regulations adopted under sections 360.011 to 360.076, shall be reasonable, and none shall impose ~~any~~ a requirement or restriction which is not reasonably necessary to effectuate the purposes of sections 360.011 to 360.076. In determining what minimum ~~standards~~ and airport zoning regulations may be adopted, the commissioner and ~~any~~ a local airport zoning authority shall consider, among other things, the character of the flying operations expected to be conducted at the airport, the location of the airport, the nature of the terrain within the airport hazard area, the existing land uses and character of the neighborhood around the airport, and the uses to which the property to be zoned ~~is put~~ are planned and adaptable, *and the social and economic costs of restricting land uses versus the benefits derived from a strict application of the standards of*

*the commissioner.*

Sec. 8. Minnesota Statutes 1982, section 360.067, subdivision 1, is amended to read:

Subdivision 1. [PERMITS.] (1) ~~Any~~ Airport zoning regulations adopted under sections 360.011 to 360.076, may require that a permit be obtained before ~~any~~ a new structure or use may be constructed or established and before ~~any~~ an existing use or structure may be substantially changed or substantially altered or repaired. In any event, all ~~such~~ regulations shall provide that before ~~any~~ a nonconforming structure or tree may be replaced, substantially altered or repaired, rebuilt, allowed to grow higher, or replanted, a permit must be secured from the administrative agency authorized to administer and enforce the regulations, authorizing ~~such~~ the replacement, change, or repair. No permit shall be granted that would allow the establishment or creation of an airport hazard or permit a nonconforming structure or tree or nonconforming use to be made or become higher or become a greater hazard to air navigation than it was when the applicable regulation was adopted or than it is when the application for a permit is made.

(2) Whenever the administrative agency determines that a nonconforming use or nonconforming structure or tree has been abandoned or more than 80 percent torn down, ~~destroyed~~, deteriorated, or decayed: (a) no permit shall be granted that would allow ~~said~~ the structure or tree to exceed the applicable height limit or otherwise deviate from the zoning regulations; and (b), whether application is made for a permit under this subdivision or not, the ~~said~~ agency may by appropriate action compel the owner of the nonconforming structure or tree, at ~~his own~~ the owner's expense, to lower, remove, reconstruct, or equip ~~such~~ the object as may be necessary to conform to the regulations. If the owner of the nonconforming structure or tree ~~shall neglect~~ neglects or ~~refuse~~ refuses to comply with ~~such~~ the order for ten days after notice ~~thereof~~ of the order, the ~~said~~ agency may proceed to have the object ~~so~~ lowered, removed, reconstructed, or equipped and assess the cost and expense ~~thereof~~ upon the object of the land ~~whereon~~ where it is or was located. Unless ~~such~~ an assessment is paid within 90 days from the service of notice ~~thereof~~ on the agent or owner of ~~such~~ the object or land, the sum ~~shall~~ will bear interest at the rate of eight percent per annum until paid, and shall be collected in the same manner as are general taxes.

(3) Except as provided ~~herein~~ in this subdivision, all applications for permits shall be granted."

Page 2, line 17, strike "such" and insert "the"

Page 2, line 29, strike "such"

Page 2, line 34, strike "such" and insert "the"

Page 3, line 18, reinstate the stricken "counties" and delete "municipalities" and strike ", providing and stating;" and insert ". The governing body or bodies of a municipality or municipalities within a county or counties may request by resolution that the county or counties organize a railroad authority. If the county or counties do not organize an authority within 90 days of receipt of the request, the municipality or municipalities may organize an authority by resolution or joint resolution. A resolution organizing an

*authority must state:*

Page 4, line 7, delete "*or municipalities*" and strike "*and*" and insert "*. The notice of a hearing by the governing body of a county must be*"

Page 4, line 9, delete "*named in the resolution*" and insert "*, except cities and towns participating in the organization*"

Page 4, lines 13 and 14, delete "*or municipalities*"

Page 7, line 2, delete "*or city or town assessor*" and reinstate the stricken "*county*" and delete "*municipality*" and insert "*in which territory under the jurisdiction of the authority is located*"

Page 7, line 4, delete "*or city or town assessor*"

Page 7, line 5, after "*rolls*" insert "*of each municipality named in the organization resolution*"

Page 7, line 10, reinstate the stricken "*each county*" and delete "*the*"

Page 7, line 11, delete "*of each municipality*"

Page 7, after line 19, insert:

"Sec. 14. Minnesota Statutes 1982, section 398A.07, subdivision 2, is amended to read:

Subd. 2. [SECURITY.] Bonds may be made payable exclusively from the revenues from one or more projects, or from one or more revenue producing contracts, or from the authority's revenues generally, *including but not limited to specified taxes which the authority may levy or which a particular municipality may agree to levy for a specified purpose*, and may be additionally secured by a pledge of any grant, subsidy, or contribution from any public agency, *including but not limited to a participating municipality*, or any income or revenues from any source. They may be secured by a mortgage or deed of trust of the whole or any part of the property of the authority. They shall be payable solely from the revenues, funds, and property pledged or mortgaged for their payment. No commissioner, officer, employee, agent, or trustee of the authority shall be liable personally on its bonds or be subject to any personal liability or accountability by reason of their issuance. Neither the state nor a county or other municipality except the authority may pledge its faith and credit or taxing power or shall be obligated in any manner for the payment of the bonds or interest on them, *except as specifically provided by agreement under section 398A.06*; but nothing herein shall affect the obligation of the state or municipality to perform any contract made by it with the authority, and when the authority's rights under a contract with the state or a municipality are pledged by the authority for the security of its bonds, the holders or a bond trustee may enforce the rights as a third party beneficiary. All bonds shall be negotiable within the meaning and for the purposes of the uniform commercial code, subject only to any registration requirement."

Page 7, line 33, delete "*Sections 1 to 7 are*" and insert "*This act is*"

ReNUMBER the sections in sequence

Amend the title as follows:

Page 1, line 4, after the semicolon, insert "*modifying requirements for*



compliance with standards for zoning ordinances for municipal airports; requiring that railroads participating in the rail service improvement program follow certain labor practices;"

Page 1, line 11, after the first semicolon, insert "222.64; 360.063, subdivisions 3, 4, and 6; 360.065, subdivision 2; 360.066, subdivision 1; 360.067, subdivision 1;"

Page 1, line 12, after the semicolon, insert "398A.07, subdivision 2;"

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

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

S.F. No. 546: A bill for an act relating to counties; providing for the formal extinction of certain abandoned interests in county highways; amending Minnesota Statutes 1982, section 163.11, by adding a subdivision.

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

Page 1, line 23, after "recorder" insert ", and with the local governing body of any organized township or municipality"

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

Mr. Merriam from the Committee on Agriculture and Natural Resources, to which was referred the following appointment as reported in the Journal for February 10, 1983:

#### WATER PLANNING BOARD

Alvin Payne

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

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

Mr. Merriam from the Committee on Agriculture and Natural Resources, to which were referred the following appointments as reported in the Journal for March 7, 1983:

#### STATE SOIL AND WATER CONSERVATION BOARD

Wayne C. Haglin

#### ENVIRONMENTAL EDUCATION BOARD

Lucinda L. Hruska-Claeys

Michael Naylor

Leland H. Grim

Reports the same back with the recommendation that the appointments be

confirmed.

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

### **SECOND READING OF SENATE BILLS**

S.F. Nos. 554, 282, 148, 568, 101, 323, 81, 160, 358, 420, 328, 627, 506, 513, 504, 683, 339, 85, 448, 332, 598, 466 and 546 were read the second time.

### **SECOND READING OF HOUSE BILLS**

H.F. Nos. 25 and 176 were read the second time.

### **MOTIONS AND RESOLUTIONS**

Mr. Dicklich moved that S.F. No. 578 be withdrawn from the Committee on Local and Urban Government and returned to its author. The motion prevailed.

Mr. Davis moved that his name be stricken as chief-author, shown as a co-author, and the name of Mr. Wegscheid be added as chief-author to S.F. No. 652. The motion prevailed.

Mr. Dicklich moved that the name of Mr. Stumpf be added as a co-author to S.F. No. 504. The motion prevailed.

Mr. Ramstad moved that the name of Mr. Stumpf be added as a co-author to S.F. No. 548. The motion prevailed.

Mr. Vega moved that the name of Mr. Moe, R.D. be added as a co-author to S.F. No. 580. The motion prevailed.

Mr. Vega moved that the name of Mr. Moe, R.D. be added as a co-author to S.F. No. 589. The motion prevailed.

Mr. Pogemiller moved that the name of Mr. Freeman be added as a co-author to S.F. No. 645. The motion prevailed.

Mr. Spear moved that the name of Mr. Vega be added as a co-author to S.F. No. 692. The motion prevailed.

Mr. Renneke moved that the name of Mr. Solon be added as a co-author to S.F. No. 720. The motion prevailed.

Ms. Berglin moved that the name of Mr. Knutson be added as a co-author to S.F. No. 727. The motion prevailed.

Ms. Peterson, D.C. moved that the name of Mrs. McQuaid be added as a co-author to S.F. No. 744. The motion prevailed.

Messrs. Merriam, Davis and Bertram introduced—

Senate Resolution No. 27: A Senate resolution proclaiming March 21, 1983, to be "Agriculture Day" in Minnesota.

WHEREAS, Minnesota is among the nation's leading producers of agricultural crops, livestock, and commodities; and

WHEREAS, Minnesota's 105,000 farms over nearly 51 million acres last year provided approximately 40 percent of the state's gross economic product; and

WHEREAS, farming and farm-related industries provided nearly one-third of the total employment opportunities in Minnesota; and

WHEREAS, last year, the average farmer in Minnesota had the productive ability to feed 78 people for an entire year; and

WHEREAS, the future strength and vitality of Minnesota's overall economy depends in large part on the strength and vitality of the state's agricultural economy; NOW, THEREFORE,

BE IT RESOLVED by the Senate of the State of Minnesota that March 21 is proclaimed to be state "Agriculture Day" to recognize the overwhelming contribution made by agriculture and agriculture-related industries to a high quality standard of living in Minnesota. The tremendous problems facing state farmers today is recognized and their commitment to preserving the family farm tradition in this state is commended.

BE IT FURTHER RESOLVED that the Secretary of the Senate is directed to enroll a copy of this resolution, to be authenticated by his signature and that of the Chairman of the Senate Rules and Administration Committee, and that it be presented to the proper representatives of Minnesota's agricultural producers and related industries.

Mr. Merriam moved the adoption of the foregoing resolution. The motion prevailed. So the resolution was adopted.

Mr. Johnson, D.E. introduced—

Senate Resolution No. 28: A Senate resolution relating to the city of Willmar; extending congratulations upon being selected for honorable mention as an All-America City.

Referred to the Committee on Rules and Administration.

## CALENDAR

H.F. No. 56: A bill for an act relating to local government; providing for orderly annexations in accordance with the terms of the resolutions of local government units; amending Minnesota Statutes 1982, section 414.0325, 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 61 and nays 0, as follows:

Those who voted in the affirmative were:

Adkins	Dicklich	Kroening	Olson	Spear
Anderson	Diessner	Kronebusch	Pehler	Storm
Belanger	Dieterich	Laidig	Peterson, C.C.	Stumpf
Benson	Frank	Langseth	Peterson, D.C.	Taylor
Berg	Frederickson	Lantry	Peterson, D.L.	Ulland
Berglin	Freeman	Lessard	Petty	Vega
Bernhagen	Hughes	Luther	Pogemiller	Waldorf
Bertram	Isackson	McQuaid	Purfeerst	Wegscheid
Brataas	Johnson, D.E.	Mehrkins	Ramstad	Willet
Chmielewski	Johnson, D.J.	Merriam	Reichgott	
Dahl	Jude	Moe, D.M.	Renneke	
Davis	Kamrath	Moe, R.D.	Schmitz	
DeCramer	Knaak	Novak	Solon	

So the bill passed and its title was agreed to.

S.F. No. 161: A bill for an act relating to the city of Minneapolis; changing the position of cable communications officer to the unclassified service; amending Laws 1969, chapter 937, section 1, subdivision 9, as amended.

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 43 and nays 22, as follows:

Those who voted in the affirmative were:

Adkins	Diessner	Lantry	Peterson, D.C.	Spear
Anderson	Dieterich	Lessard	Peterson, R.W.	Stumpf
Belanger	Frank	Luther	Petty	Taylor
Berglin	Freeman	Merriam	Pogemiller	Vega
Chmielewski	Hughes	Moe, D. M.	Purfeerst	Waldorf
Dahl	Johnson, D.J.	Moe, R. D.	Reichgott	Wegscheid
Davis	Jude	Novak	Samuelson	Willet
DeCramer	Kroening	Pehler	Schmitz	
Dicklich	Langseth	Peterson, C.C.	Solon	

Those who voted in the negative were:

Benson	Frederickson	Knutson	Olson	Storm
Berg	Isackson	Kronebusch	Peterson, D.L.	Ulland
Bertram	Johnson, D.E.	Laidig	Ramstad	
Brataas	Kamrath	McQuaid	Renneke	
Frederick	Knaak	Mehrkins	Sieloff	

So the bill passed and its title was agreed to.

S.F. No. 224: A bill for an act relating to local government; permitting the city of Big Falls and part of Koochiching County to join a hospital district.

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 66 and nays 0, as follows:

Those who voted in the affirmative were:

Adkins	Diessner	Kroening	Pehler	Solon
Anderson	Dieterich	Kronebusch	Peterson, C. C.	Spear
Belanger	Frank	Laidig	Peterson, D. C.	Storm
Benson	Frederick	Langseth	Peterson, D. L.	Stumpf
Berg	Frederickson	Lantry	Peterson, R. W.	Taylor
Berglin	Freeman	Lessard	Petty	Ulland
Bernhagen	Hughes	Luther	Pogemiller	Vega
Bertram	Isackson	McQuaid	Purfeerst	Waldorf
Brataas	Johnson, D. E.	Mehrkins	Ramstad	Wegscheid
Chmielewski	Johnson, D. J.	Merriam	Reichgott	Willet
Dahl	Jude	Moe, D. M.	Renneke	
Davis	Kamrath	Moe, R. D.	Samuelson	
DeCramer	Knaak	Novak	Schmitz	
Dicklich	Knutson	Olson	Sieloff	

So the bill passed and its title was agreed to.

S.F. No. 68: A bill for an act relating to elections; fair campaign practices; providing a penalty for denial of access to certain dwellings; amending Minnesota Statutes 1982, section 210A.43, subdivision 4.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 45 and nays 21, as follows:

Those who voted in the affirmative were:

Adkins	Diessner	Kronebusch	Novak	Reichgott
Belanger	Dieterich	Langseth	Olson	Samuelson
Berglin	Frank	Lantry	Pehler	Schmitz
Bertram	Frederickson	Lessard	Peterson, D. C.	Solon
Chmielewski	Freeman	Luther	Peterson, R. W.	Spear
Dahl	Hughes	McQuaid	Petty	Stumpf
Davis	Johnson, D. J.	Merriam	Pogemiller	Vega
DeCramer	Jude	Moe, D. M.	Purfeerst	Wegscheid
Dicklich	Kroening	Moe, R. D.	Ramstad	Willet

Those who voted in the negative were:

Anderson	Frederick	Knutson	Renneke	Waldorf
Benson	Isackson	Laidig	Sieloff	
Berg	Johnson, D. E.	Mehrkins	Storm	
Bernhagen	Kamrath	Peterson, C. C.	Taylor	
Brataas	Knaak	Peterson, D. L.	Ulland	

So the bill passed and its title was agreed to.

S.F. No. 267: A bill for an act relating to taxation; increasing the amount of reduced valuations required to be maintained as public record; allowing the commissioner discretion in apportioning levies; increasing the amount of reduction in valuation requiring an opportunity for hearing; allowing county auditors to combine legal descriptions over section lines; classifying farm rental value data; excluding certain corporations from receiving agricultural property tax valuation; providing for continuation of open space treatment; providing for the assessment of certain class 3 property based upon its use; requiring publication of certain requirements for obtaining a homestead after the assessment date; removing special taxing districts from levy limits; allowing counties to charge for NSF checks; providing for rounding of tax amounts on tax statements; directing the use of the previous years mill rate when distributing delinquent tax proceeds; changing the date

for filing list of delinquent personal property taxes; extending application of the alternate sale procedure; increasing the fee for lost deeds; changing the process for distributing mortgage registration tax proceeds; raising the fee for trip permits; requiring filing of an amended estate tax return in certain situations; clarifying the date interest accrues on estate tax amounts due; providing for department action following the filing of an amended return; requiring state's share of federal credit to not be less than state's share of the estate; providing a definition of surviving spouse for estate tax purposes; requiring filing of final account to commissioner of revenue; changing the requirement for filing a declaration of estimated gross earnings tax; imposing a penalty for failure to pay estimated gross earnings tax; extending the time allowed to claim gasoline or special fuel tax refunds; changing the requirements relating to distribution of free samples of cigarettes; imposing a penalty for failure to pay the tax on wines and spirituous liquors; conforming penalties for non-payment of tax on beer to penalties imposed on other taxes; delaying implementation of the assessment penalty; requiring payment of current taxes before a plat is recorded; amending Minnesota Statutes 1982, sections 270.10, subdivisions 1 and 3; 270.12, subdivision 3; 270.19; 272.46, subdivision 2; 273.11, subdivision 7; 273.111, subdivision 3; 273.112, subdivision 7, and by adding a subdivision; 273.13, subdivisions 4, and 16; 275.50, subdivision 2; 276.02; 276.04; 276.10; 277.02; 282.01, subdivision 7a; 282.33, subdivision 1; 287.08; 291.005, subdivision 1; 291.03, subdivision 1; 291.07, subdivision 1; 291.09, subdivision 3a; 291.131, subdivision 6; 291.132, subdivision 1; 291.215, subdivision 3; 295.365; 295.366, subdivision 1; 296.17, subdivisions 3 and 17; 297.03, subdivision 10; 340.485, subdivision 1, and by adding subdivisions; 340.492; 477A.04; 505.04; repealing Minnesota Statutes 1982, sections 272.022; 272.023; 272.024; 273.13, subdivision 18; 273.23; 273.24; 273.28; 273.29; 273.30; 273.31; 273.34; 273.44; 273.45; 273.52; 288.01; 288.02; 288.03; 288.04; 288.05; 291.07, subdivision 3; and 473F.04.

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:

Adkins	Dicklich	Knaak	Moe, R. D.	Samuelson
Anderson	Diessner	Knutson	Novak	Schmitz
Belanger	Dieterich	Kroening	Olson	Sieloff
Benson	Frank	Kronebusch	Pehler	Solon
Berg	Frederick	Laidig	Peterson, C.C.	Spear
Berglin	Frederickson	Langseth	Peterson, D.L.	Storm
Bernhagen	Freeman	Lantry	Peterson, R.W.	Stumpf
Bertram	Hughes	Lessard	Petty	Taylor
Brataas	Isackson	Luther	Pogemiller	Ulland
Chmielewski	Johnson, D.E.	McQuaid	Purfeerst	Vega
Dahl	Johnson, D.J.	Mehrkens	Ramstad	Waldorf
Davis	Jude	Merriam	Reichgott	Wegscheid
DeCramer	Kamrath	Moe, D. M.	Renneke	Willet

So the bill passed and its title was agreed to.

### CONSENT CALENDAR

S.F. No. 207: A bill for an act relating to Independent School District No.

466; permitting the sale of certain land subject to agreed 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 66 and nays 0, as follows:

Those who voted in the affirmative were:

Adkins	Diessner	Kroening	Pehler	Solon
Anderson	Dieterich	Kronebusch	Peterson, C. C.	Spear
Belanger	Frank	Laidig	Peterson, D. C.	Storm
Benson	Frederick	Langseth	Peterson, D. L.	Stumpf
Berg	Frederickson	Lantry	Peterson, R. W.	Taylor
Berglin	Freeman	Lessard	Petty	Ulland
Bernhagen	Hughes	Luther	Pogemiller	Vega
Bertram	Isackson	McQuaid	Purfeerst	Waldorf
Brataas	Johnson, D. E.	Mehrkens	Ramstad	Wegscheid
Chmielewski	Johnson, D. J.	Merriam	Reichgott	Willet
Dahl	Jude	Moe, D. M.	Renneke	
Davis	Kamrath	Moe, R. D.	Samuelson	
DeCramer	Knaak	Novak	Schmitz	
Dicklich	Knutson	Olson	Sieloff	

So the bill passed and its title was agreed to.

### GENERAL ORDERS

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

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

S.F. Nos. 337, 153, 444, 200, 455, 254, 107, 327, and H.F. Nos. 182, 268 and 121, which the committee recommends to pass.

S.F. No. 428, which the committee recommends to pass with the following amendments offered by Messrs. Lessard and Pogemiller:

Mr. Lessard moved to amend S.F. No. 428 as follows:

Page 16, after line 35, insert:

“Sec. 30. Laws 1975, chapter 235, section 2, is amended to read:

Sec. 2. This act is effective July 1, 1975 and shall expire June 30, 1983.”

Page 17, line 32, delete “84B.11;”

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 18, before “Laws” insert “Laws 1975, chapter 235, section 2;”

Page 1, line 22, delete “84B.11;”

The motion prevailed. So the amendment was adopted.

Mr. Pogemiller moved to amend S.F. No. 428 as follows:

Page 8, line 35, strike “task force” and insert “council”

Page 9, line 20, delete “June 30,”

Page 9, line 21, delete “1989” and insert “on the date provided by section 15.059, subdivision 5”

Page 9, line 26, strike “pursuant to Laws”

Page 9, line 27, strike “1980, Chapter 577, Section 2” and insert “for the Minnesota poison information center”

Page 9, line 32, strike “Moneys appropriated under”

Page 9, line 33, strike everything before “shall” and insert “The grant”

Page 9, line 33, strike “to the grantee”

The motion prevailed. So the amendment was adopted.

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

### INTRODUCTION AND FIRST READING OF SENATE BILLS

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

Messrs. Petty, Spear and Frederickson introduced—

S.F. No. 767: A bill for an act relating to retirement; authorizing the purchase of prior service credit in the Minnesota state retirement system by certain employees or former employees of joint legislative agencies or commissions.

Referred to the Committee on Governmental Operations.

Messrs. Freeman, Petty, Wegscheid and Sieloff introduced—

S.F. No. 768: A bill for an act relating to metropolitan government; extending the time for design selection for noise suppression equipment at the international airport.

Referred to the Committee on Transportation.

Messrs. Spear, Pogemiller and Wegscheid introduced—

S.F. No. 769: A bill for an act relating to property exempt from attachment, garnishment, or levy of execution; requiring notice to judgment debtors prior to delivery of funds owed to the judgment debtor by any third party to satisfy a creditor's claim; providing for an exemption notice within certain time limits; providing penalties for failure to send the exemption notice; clarification of certain exempt funds; providing for an increase in the amount of household goods exempt; amending Minnesota Statutes 1982, sections 550.041; 550.14; 550.141, by adding a subdivision; 550.37, subdivisions 4, 13, 14, 19, 20, and 24; 571.41, subdivision 5, and by adding subdivisions; and 571.67.

Referred to the Committee on Judiciary.

Messrs. Frederickson, Spear and Mrs. Lantry introduced—

S.F. No. 770: A bill for an act relating to retirement; modifying a limita-



tion on public employee retirement annuities; amending Minnesota Statutes 1982, section 356.61.

Referred to the Committee on Governmental Operations.

Messrs. Knaak, Freeman, Jude, Ms. Reichgott and Mr. Kamrath introduced—

S.F. No. 771: A bill for an act relating to courts; providing for removal of claims from municipal court to district court; amending Minnesota Statutes 1982, section 488A.01, subdivision 15; and 488A.18, subdivision 15.

Referred to the Committee on Judiciary.

Messrs. Davis, Berg, Benson, Bertram and Pehler introduced—

S.F. No. 772: A bill for an act relating to taxation; liquor excise; providing a reduced tax on liquor made in Minnesota from Minnesota products; amending Minnesota Statutes 1982, section 340.47, subdivisions 1, 1a, and by adding a subdivision.

Referred to the Committee on Public Utilities and State Regulated Industries. Mr. Merriam questioned the reference thereon and, under Rule 35, the bill was referred to the Committee on Rules and Administration.

Messrs. Willet, Waldorf, DeCramer, Purfeerst and Merriam introduced—

S.F. No. 773: A bill for an act relating to public utilities; providing for the purchase of power from electrical utilities by firm power producers at certain costs under certain circumstances; making certain technical changes; amending Minnesota Statutes 1982, section 216B.164.

Referred to the Committee on Public Utilities and State Regulated Industries.

Mrs. Lantry, Messrs. Knaak, Sieloff and Hughes introduced—

S.F. No. 774: A bill for an act relating to Ramsey County; providing for the membership, terms, and procedures of the medical center commission; amending Minnesota Statutes 1982, section 383A.41, subdivisions 2, 3, and 4.

Referred to the Committee on Local and Urban Government.

Messrs. Merriam; Peterson, C.C.; Kroening; Dicklich and Vega introduced—

S.F. No. 775: A bill for an act relating to workers' compensation; providing for the rebuttable presumption of cancer as an occupational disease for certain firefighters; amending Minnesota Statutes 1982, section 176.011, subdivision 15.

Referred to the Committee on Employment.

Messrs. Merriam and Willet introduced—

S.F. No. 776: A bill for an act relating to state government; reorganizing

functions related to water; abolishing the water planning board, the southern Minnesota rivers basin board, and the water resources board; transferring duties to the environmental quality board; appropriating money; amending Minnesota Statutes 1982, sections 40.072, subdivision 3; 112.35, subdivision 4; 473.877, subdivision 2; and 473.878, subdivisions 5, 7, and 8; proposing new law coded in Minnesota Statutes, chapter 116C; repealing Minnesota Statutes 1982, sections 105.71; 105.72; 105.73; 105.74; 105.75; 105.751; 105.76; 105.77; 105.78; 105.79; and chapter 114A.

Referred to the Committee on Agriculture and Natural Resources.

Messrs. Petty, Sieloff and Frank introduced—

S.F. No. 777: A bill for an act relating to taxation; property; providing a declining maximum homestead credit; amending Minnesota Statutes 1982, section 273.13, subdivisions 6, 7, 14a, and by adding a subdivision.

Referred to the Committee on Taxes and Tax Laws.

Ms. Berglin, Messrs. Sieloff, Merriam and Solon introduced—

S.F. No. 778: A bill for an act relating to taxation; providing a method for distributing state money to municipalities; establishing a levy limit base; amending Minnesota Statutes 1982, sections 275.51, by adding a subdivision; 477A.011, by adding subdivisions; and 477A.012; proposing new law coded in Minnesota Statutes, chapters 275 and 477A; repealing Minnesota Statutes 1982, sections 275.51, subdivision 3e; 477A.011, subdivisions 4, 5, 9, and 10; and 477A.013.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Anderson; Johnson, D.E.; Peterson, C.C.; Samuelson and Berg introduced—

S.F. No. 779: A bill for an act relating to education; permitting the continued development and implementation of a low-power television transmission system for certain school districts; appropriating money.

Referred to the Committee on Education.

Messrs. Lessard; Johnson, D.J.; Berg; Chmielewski and Stumpf introduced—

S.F. No. 780: A bill for an act relating to taxation; sales and use; providing a reduced tax rate for certain purchases of logging equipment; amending Minnesota Statutes 1982, sections 297A.01, by adding a subdivision; 297A.02, subdivision 2, as amended; and 297A.14, as amended.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Wegscheid, Berg, Mrs. Adkins, Ms. Reichgott and Mr. Freeman introduced—

S.F. No. 781: A bill for an act relating to drivers licenses; prohibiting the operation of a motor vehicle in this state by either a resident or nonresident whose license has been revoked, suspended, or cancelled until Minnesota

driving privileges are reinstated; amending Minnesota Statutes 1982, section 171.20, subdivision 2; repealing Minnesota Statutes 1982, section 171.181, subdivision 2.

Referred to the Committee on Transportation.

Mr. Wegscheid, Ms. Reichgott, Messrs. Knaak, Petty and DeCramer introduced—

S.F. No. 782: A bill for an act relating to highway traffic regulations; providing a penalty for the operation of a vehicle in a manner that endangers or is likely to endanger persons or property; amending Minnesota Statutes 1982, section 169.13, subdivision 2.

Referred to the Committee on Judiciary.

Ms. Berglin, Messrs. Dicklich, Spear and Solon introduced—

S.F. No. 783: A bill for an act relating to welfare; proposing a moratorium on new construction and new certification of nursing home beds; providing a limit on inpatient chemical dependency treatment; requiring a second medical opinion prior to reimbursement for certain elective surgeries; making medicare certification a condition of medical assistance reimbursement; amending Minnesota Statutes 1982, sections 256.045, subdivision 3; 256.966, subdivision 1; 256.968; 256B.02, subdivision 8; 256B.03, subdivision 2, as amended; 256B.04, by adding a subdivision; 256B.061; 256B.064, subdivision 2; 256B.27, subdivisions 3 and 4; and 256B.48, by adding a subdivision; and Laws 1981, chapter 360, article II, section 54, as amended.

Referred to the Committee on Health and Human Services.

Ms. Berglin, Mrs. Lantry, Messrs. Moe, D.M. and Merriam introduced—

S.F. No. 784: A bill for an act relating to public welfare; setting eligibility criteria for community social services; requiring information from users to be included in the planning process; prescribing duties of the commissioner; amending Minnesota Statutes 1982, sections 256E.03, subdivision 2; 256E.05, subdivision 3; and 256E.09, subdivisions 2 and 3.

Referred to the Committee on Health and Human Services.

Mr. Freeman introduced—

S.F. No. 785: A bill for an act relating to occupations and professions; providing an exemption from a licensing requirement administered by the board of electricity; amending Minnesota Statutes 1982, section 326.242, subdivision 12.

Referred to the Committee on Economic Development and Commerce.

Messrs. Freeman, Purfeerst and Solon introduced—

S.F. No. 786: A bill for an act relating to transportation; conforming with federal requirements allowing a state authority to exercise jurisdiction over intrastate transportation provided by rail carrier; amending Minnesota Stat-

utes 1982, sections 218.031, subdivision 1; 218.041, subdivision 2; and 218.071, subdivision 1.

Referred to the Committee on Transportation.

Messrs. Solon, Nelson, Knutson and Benson introduced—

S.F. No. 787: A bill for an act relating to public welfare; providing for a state contract with an insuring agent to administer the medical assistance program; requiring the commissioner of public welfare to submit a request for proposals to the commissioner of administration to commence the bidding procedures on the insurance contract; providing for training or other assistance for affected public employees; transferring money; appropriating money; proposing new law coded in Minnesota Statutes, chapter 256B.

Referred to the Committee on Health and Human Services.

Messrs. Jude, Knaak, Spear, Petty and Ms. Reichgott introduced—

S.F. No. 788: A bill for an act relating to crimes; creating the crimes of unlawfully obtaining services from the metropolitan transit commission and unlawfully interfering with a transit operator while the operator is performing his or her duties; providing penalties; proposing new law coded in Minnesota Statutes, chapter 609.

Referred to the Committee on Judiciary.

Messrs. Frank; Peterson, C.C.; Johnson, D.J.; Novak and Luther introduced—

S.F. No. 789: A bill for an act relating to communications; defining terms; requiring access by cable communications companies; imposing conditions of access; limiting certain actions of property owners; allowing appeal; proposing new law coded in Minnesota Statutes, chapter 238.

Referred to the Committee on Public Utilities and State Regulated Industries.

Messrs. Petty and Frank introduced—

S.F. No. 790: A bill for an act relating to education; modifying post-secondary vocational foundation aid to allow post-secondary vocational pupils who are absent from school due to illness to remain on the roll; amending Minnesota Statutes 1982, section 124.562, subdivision 2a.

Referred to the Committee on Education.

Mr. Chmielewski introduced—

S.F. No. 791: A bill for an act relating to natural resources; authorizing the commissioner of natural resources to convey to private persons, under certain circumstances, road easements across railroad rights-of-way acquired for trail purposes; proposing new law coded in Minnesota Statutes, chapter 84.

Referred to the Committee on Agriculture and Natural Resources.

Mr. Chmielewski introduced—

S.F. No. 792: A bill for an act relating to state government; providing for the retention and destruction of records by the department of labor and industry; amending Minnesota Statutes 1982, section 175.36.

Referred to the Committee on Employment.

Messrs. Pehler and Willet introduced—

S.F. No. 793: A bill for an act relating to economic development; authorizing certain incorporators to establish two innovation center public corporations to assist in the development of the state's high technology businesses, products, and systems by providing certain services and assistance; establishing the purposes, powers, and duties of the corporation; providing for directors, articles, and by-laws; appropriating money; proposing new law coded as Minnesota Statutes, chapter 301B.

Referred to the Committee on Economic Development and Commerce.

Messrs. Pehler, Taylor, Nelson, Dahl and Wegscheid introduced—

S.F. No. 794: A bill for an act relating to education; providing for computer and related services to aid education; providing for the transfer of duties and property of the Minnesota education consulting consortium; repealing Minnesota Statutes 1982, sections 120.81 and 120.82.

Referred to the Committee on Education.

Mr. Spear introduced—

S.F. No. 795: A bill for an act relating to crimes; providing for increases in maximum authorized fines for crimes and petty misdemeanors; amending Minnesota Statutes 1982, sections 609.02, subdivisions 3, 4, and 4a; and 609.03; proposing new law coded in Minnesota Statutes, chapter 609; repealing Minnesota Statutes 1982, sections 609.031 and 609.032.

Referred to the Committee on Judiciary.

Mr. Spear, Ms. Berglin, Messrs. Samuelson, Johnson, D.E. and Solon introduced—

S.F. No. 796: A bill for an act relating to public welfare; entitling certain low income families to child care at reduced rates; amending Minnesota Statutes 1982, sections 245.83; 245.84, subdivisions 1, 2, and 5; 245.85; 245.86; and 245.87.

Referred to the Committee on Health and Human Services.

Messrs. Peterson, C.C.; Langseth; Stumpf; Berg and Mrs. Lantry introduced—

S.F. No. 797: A bill for an act relating to public welfare; setting a durational residency requirement for general assistance eligibility; amending Minnesota Statutes 1982, section 256D.03, subdivision 1.

Referred to the Committee on Health and Human Services.

Mr. Belanger introduced—

S.F. No. 798: A bill for an act relating to education; establishing certain curriculum for all pupils in elementary, middle, and secondary schools; requiring school districts to comply with curriculum requirements; imposing aid penalty; amending Minnesota Statutes 1982, sections 124.15, subdivision 2; and 124.19, by adding subdivisions; proposing new law coded in Minnesota Statutes, chapter 126.

Referred to the Committee on Education.

Messrs. Solon, Petty and Benson introduced—

S.F. No. 799: A bill for an act relating to financial institutions; electronic financial terminals; regulating the use of terminals by financial institutions located outside the state; amending Minnesota Statutes 1982, section 47.64, subdivision 6.

Referred to the Committee on Economic Development and Commerce.

Mr. Peterson, R.W.; Ms. Berglin and Mr. Johnson, D.E. introduced—

S.F. No. 800: A bill for an act relating to health; providing for retention and destruction of certain medical records; amending Minnesota Statutes 1982, section 145.32.

Referred to the Committee on Health and Human Services.

Ms. Berglin and Mr. Johnson, D.J. introduced—

S.F. No. 801: A bill for an act relating to taxation; providing a system of levy limitations to apply to certain units of local government; extending the date of application of the coefficient of dispersion penalty; amending Minnesota Statutes 1982, sections 273.13, subdivision 15b; 275.50, subdivisions 2 and 5; 275.51, subdivision 4, and by adding a subdivision; 477A.04, subdivision 2; proposing new law coded in Minnesota Statutes, chapter 275; repealing Minnesota Statutes 1982, section 275.51, subdivision 3e.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Spear, Luther, Waldorf, Mrs. Lantry and Mr. Novak introduced—

S.F. No. 802: A bill for an act relating to game and fish; reaffirming the protected status of mourning doves; amending Minnesota Statutes 1982, section 100.27, subdivision 6 and by adding a subdivision.

Referred to the Committee on Agriculture and Natural Resources.

Ms. Olson introduced—

S.F. No. 803: A bill for an act relating to tax-forfeited land; authorizing the sale of a certain tract within the city of Orono.

Referred to the Committee on Agriculture and Natural Resources.

Ms. Berglin, Messrs. Solon, Samuelson and Dicklich introduced—

S.F. No. 804: A bill for an act relating to the general assistance program; creating a flat grant system of payment; authorizing the commissioner of public welfare to provide by rule for the payment of reasonable fees in certain cases to persons assisting recipients in applying for benefits from federal programs; requiring general assistance recipients, with exceptions, to register for work with the department of economic security; authorizing the commissioner of public welfare to adopt temporary rules in certain cases; making various other changes in the general assistance program; authorizing the commissioner of economic security to make wage subsidy payments to certain employers and to allocate funds for certain public service jobs; authorizing the commissioner of economic security to adopt permanent and temporary rules in certain cases; amending Minnesota Statutes 1982, sections 256D.01, subdivision 1; 256D.02, subdivision 4; 256D.06, subdivision 5; 256D.09, subdivision 2; proposing new law coded in Minnesota Statutes, chapters 256D and 268; repealing Minnesota Statutes 1982, sections 256D.02, subdivision 14; and 256D.06, subdivision 1a.

Referred to the Committee on Health and Human Services.

Mr. Bertram introduced—

S.F. No. 805: A bill for an act relating to transportation; providing that the boundaries of roads and cartways coincide with actual use rather than legal descriptions or section lines under certain circumstances; amending Minnesota Statutes 1982, sections 160.05; 164.07, subdivision 11, and by adding a subdivision.

Referred to the Committee on Transportation.

Mr. Peterson, R.W. introduced—

S.F. No. 806: A bill for an act relating to education; providing for a revised foundation aid formula; amending Minnesota Statutes 1982, sections 124.212, subdivision 1; 124.2123, by adding a subdivision; 124.2124, by adding a subdivision; 124.2125, by adding a subdivision; 124.2126, by adding a subdivision; 124.2128, by adding a subdivision; 124.2132, subdivision 1; 275.125, subdivision 9, and by adding a subdivision; repealing Minnesota Statutes 1982, sections 124.2123; 124.2124; 124.2125; 124.2126; 124.2128; and 275.125, subdivisions 6b, 6c, 6d, 7a, 7c, and 19.

Referred to the Committee on Education.

Mr. Peterson, R.W. introduced—

S.F. No. 807: A bill for an act relating to education; establishing an inter-district cooperation aid and levy authority for districts meeting certain requirements; appropriating money; amending Minnesota Statutes 1982, section 275.125, by adding a subdivision; proposing new law coded in Minnesota Statutes, chapter 124.

Referred to the Committee on Education.

Mrs. Kronebusch, Messrs. Moe, D.M.; Moe, R.D.; Merriam and Ulland introduced—

S.F. No. 808: A bill for an act relating to the state seal; providing a description of the official state seal; proposing new law coded in Minnesota Statutes, chapter 1.

Referred to the Committee on Veterans and General Legislation.

Mr. Waldorf introduced—

S.F. No. 809: A bill for an act relating to education; authorizing the higher education coordinating board to provide supplemental and additional loans; clarifying certain provisions of student loan programs; making technical corrections; amending Minnesota Statutes 1982, sections 136A.14; 136A.141; 136A.15; 136A.16; 136A.17; proposing new law coded in Minnesota Statutes, chapter 136A; repealing Minnesota Statutes 1982, section 136A.161.

Referred to the Committee on Education.

Messrs. Vega; Moe, D.M.; Freeman; Pogemiller and Ms. Peterson, D.C. introduced—

S.F. No. 810: A bill for an act relating to state government; reorganizing the energy regulation functions in state government; creating an energy department; creating an energy coordination board; creating an energy partnership; creating an intervention office; appropriating money; amending Minnesota Statutes 1982, sections 116C.03, subdivision 2; 116J.09; and 116J.10; proposing new law coded in Minnesota Statutes, chapters 116H and 216B; repealing Minnesota Statutes 1982, sections 116J.28 and 268.37.

Referred to the Committee on Energy and Housing.

Messrs. Spear, Petty and Belanger introduced—

S.F. No. 811: A bill for an act relating to commerce; art; regulating the sale of fine prints; providing sales and advertising disclosures; prescribing penalties; defining terms; proposing new law coded as Minnesota Statutes, chapter 324.

Referred to the Committee on Economic Development and Commerce.

Messrs. Vega and Frank introduced—

S.F. No. 812: A bill for an act relating to highway traffic regulations; clarifying certain bumper requirements; restricting the height of bumpers on certain vehicles; amending Minnesota Statutes 1982, section 169.73.

Referred to the Committee on Transportation.

Messrs. Peterson, C.C. and Johnson, D.J. introduced—

S.F. No. 813: A bill for an act relating to taxation; limiting the reductions of assessments for housing for elderly or low or moderate income persons; limiting state reimbursements for reduced assessment property; amending Minnesota Statutes 1982, sections 273.13, subdivisions 17, 17a, 17b, and 17c; and 273.139, subdivision 1.



Referred to the Committee on Taxes and Tax Laws.

Messrs. Spear, Petty and Belanger introduced—

S.F. No. 814: A bill for an act relating to commerce; regulating the consignment of works of art; specifying the rights and duties of consignors and consignees; defining terms; proposing new law coded as Minnesota Statutes, chapter 324.

Referred to the Committee on Economic Development and Commerce.

Messrs. Peterson, C.C.; Moe, D.M. and Renneke introduced—

S.F. No. 815: A bill for an act relating to retirement; defining and providing for the payment of disability benefits to members of the teachers retirement association for occupational disability; amending Minnesota Statutes 1982, sections 354.05, by adding a subdivision; and 354.48, subdivisions 1, 2, 3, 4, 6, and 10.

Referred to the Committee on Governmental Operations.

Ms. Berglin, Messrs. Spear and Luther introduced—

S.F. No. 816: A bill for an act relating to energy; providing tenant enforcement of certain conservation standards; proposing new law coded in Minnesota Statutes, chapter 116J.

Referred to the Committee on Energy and Housing.

Mr. Peterson, R.W. introduced—

S.F. No. 817: A bill for an act relating to real estate; regulating the duties of a county recorder; amending Minnesota Statutes 1982, sections 386.31; and 386.36.

Referred to the Committee on Local and Urban Government.

Messrs. Schmitz, Langseth, Purfeerst, Davis and Laidig introduced—

S.F. No. 818: A bill for an act relating to transportation; classifying right-of-way appraisals as confidential data; regulating the conveyancing and leasing of certain rights-of-way; providing that the consideration to be paid upon reconveyance be equal to the estimated current market value of the property reconveyed; authorizing the acquisition of fee title under certain conditions; authorizing the lease of certain easements and providing for the distribution of rents; providing for the alteration of public drainage systems affecting trunk highways; authorizing fees for and the services of a licensed real estate broker for disposing of right-of-way; authorizing the commissioner to convey land to a utility under certain circumstances; amending Minnesota Statutes 1982, sections 13.50, subdivision 1; 161.202, subdivision 4; 161.241, subdivision 4; 161.28, subdivision 1; 161.43; 161.44, subdivisions 2 and 9, and by adding a subdivision; 161.46, subdivision 4; and proposing new law coded in Minnesota Statutes, chapter 161.

Referred to the Committee on Transportation.

Messrs. Bertram, Isackson, Willet and Schmitz introduced—

S.F. No. 819: A bill for an act relating to commerce; restricting the collateral which may be taken by a farm implement manufacturer as security for equipment sold to dealers; amending Minnesota Statutes 1982, section 336.9-203; proposing new law coded in Minnesota Statutes, chapter 325E.

Referred to the Committee on Economic Development and Commerce.

Ms. Peterson, D.C.; Mr. Moe, D.M.; Ms. Berglin and Mr. Pogemiller introduced—

S.F. No. 820: A bill for an act relating to state contracts; providing for an increase in small business set-aside awards; providing for subcontracting of state construction contracts in certain cases; requiring a staff complement sufficient to facilitate the set-aside program; providing for a small business procurement advisory council; requiring the commissioner of administration to promulgate rules; providing for certain reports to the governor, legislature, and small business procurement advisory council; limiting the local purchasing authority of state departments and agencies; amending Minnesota Statutes 1982, sections 16.083, subdivisions 1, 4, and by adding a subdivision; 16.084; 16.085; 16.086, subdivision 1; and 16.28.

Referred to the Committee on Governmental Operations.

Messrs. Solon; Johnson, D.J.; Freeman; Dicklich and Kroening introduced—

S.F. No. 821: A bill for an act relating to economic development; creating the Minnesota enterprise agency; creating the Minnesota enterprise fund; transferring certain powers from the department of energy, planning and development; abolishing the small business finance agency; appropriating money; amending Minnesota Statutes 1982, section 116J.90, subdivision 5; proposing new law coded as chapter 266.

Referred to the Committee on Economic Development and Commerce.

Messrs. Johnson, D.J.; Dicklich; Solon; Laidig and Petty introduced—

S.F. No. 822: A bill for an act relating to the city of Babbitt; authorizing the establishment of detached banking facilities.

Referred to the Committee on Economic Development and Commerce.

Mr. Belanger introduced—

S.F. No. 823: A bill for an act relating to cities; authorizing the issuance of capital notes for certain equipment acquisitions; proposing new law coded in Minnesota Statutes, chapter 410.

Referred to the Committee on Local and Urban Government.

Mr. Petty, Ms. Peterson, D.C. and Mr. Schmitz introduced—

S.F. No. 824: A bill for an act relating to the city of Minneapolis; abolishing the office of comptroller-treasurer in the city of Minneapolis.

Referred to the Committee on Local and Urban Government.

Mr. Sieloff, Mrs. Lantry and Mr. Waldorf introduced—

S.F. No. 825: A bill for an act relating to the city of St. Paul; providing for facilities, bonding, powers, and duties of the St. Paul port authority; amending Laws 1976, chapter 234, section 3, subdivision 1.

Referred to the Committee on Local and Urban Government.

Messrs. Stumpf and Peterson, C.C. introduced—

S.F. No. 826: A bill for an act relating to state government; implementing an executive order transferring the state soil and water conservation board from the department of natural resources to the department of agriculture; amending Minnesota Statutes 1982, section 40.03.

Referred to the Committee on Agriculture and Natural Resources.

Mr. Jude and Mrs. McQuaid introduced—

S.F. No. 827: A bill for an act relating to retirement; public employees retirement association; optional annuity election for disabled member.

Referred to the Committee on Governmental Operations.

Messrs. Dahl, DeCramer, Vega, Purfeerst and Novak introduced—

S.F. No. 828: A bill for an act relating to energy; providing an omnibus energy policy; appropriating money; amending Minnesota Statutes 1982, sections 116J.27, subdivisions 2, 6, and by adding a subdivision; 116J.31; 116J.36; 453.54, by adding a subdivision; proposing new law coded in Minnesota Statutes, chapters 116J and 216B; repealing Minnesota Statutes 1982, section 116J.27, subdivisions 5 and 7.

Referred to the Committee on Energy and Housing.

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

### **MOTIONS AND RESOLUTIONS**

Mr. Vega moved that S.F. No. 744 be withdrawn from the Committee on Rules and Administration and re-referred to the Committee on Public Utilities and State Regulated Industries. The motion prevailed.

### **ADJOURNMENT**

Mr. Moe, R.D. moved that the Senate do now adjourn until 3:00 p.m., Wednesday, March 23, 1983. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate