

## TWENTY-EIGHTH DAY

St. Paul, Minnesota, Monday, March 28, 1983

The Senate met at 10:00 a.m. and was called to order by the President.

### CALL OF THE SENATE

Mr. Moe, R.D. imposed a call of the Senate. The Sergeant at Arms was instructed to bring in the absent members.

Prayer was offered by the Chaplain, Rev. Gerhard Meiners.

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

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

The President declared a quorum present.

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

### MEMBERS EXCUSED

Mr. Jude was excused from the Session of today. Mr. Johnson, D.J. was excused from the Session of today until 11:50 a.m.

### MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to announce the passage by the House of the following Senate Files, herewith returned: S.F. Nos. 31, 221, 270, 325 and 421.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 24, 1983

Mr. President:

I have the honor to announce the passage by the House of the following

House Files, herewith transmitted: H.F. Nos. 31, 194, 289, 166, 30, 218, 226, 316, 419, 576, 445, 463 and 561.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted March 24, 1983

### FIRST READING OF HOUSE BILLS

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

H.F. No. 31: A bill for an act relating to veterans affairs; prohibiting searches at the Minnesota veterans home except under criminal warrant; proposing new law coded in Minnesota Statutes, chapter 198.

Referred to the Committee on Judiciary.

H.F. No. 194: A bill for an act relating to labor; creating an exemption from state minimum wage for certain live-in child care county employees; amending Minnesota Statutes 1982, section 177.23, subdivision 7.

Referred to the Committee on Employment.

H.F. No. 289: A bill for an act relating to the city of St. Paul; authorizing the city to permit, by ordinance, the use of an "on-sale" liquor license issued by the city at the Highland Park and Phalen Park club houses.

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

H.F. No. 166: A bill for an act relating to local government; providing for prosecution of certain gross misdemeanors; authorizing agreements between cities and counties for the prosecution of certain offenses by county attorneys; authorizing counties pursuant to agreement with cities to engage attorneys for prosecution of misdemeanors, petty misdemeanors, and violations of municipal ordinances, charters, and regulations; establishing a formula for disposition of fine proceeds; authorizing cities to pay certain witness expenses; amending Minnesota Statutes 1982, sections 169.129; 299D.03, subdivision 5; 357.13, subdivision 1; 357.23; 388.051; 388.09; 388.18, subdivision 5; 487.25, subdivision 10; 487.33, subdivisions 1 and 5; 574.34; and 609.487, by adding a subdivision; proposing new law coded in Minnesota Statutes, chapter 487.

Referred to the Committee on Judiciary.

H.F. No. 30: A bill for an act relating to veterans affairs; providing residents of the Minnesota veterans home with a right to complain about home accommodations and services; prohibiting retaliatory eviction of residents who exercise their right to complain; proposing new law coded in Minnesota Statutes, chapter 198.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 150.

H.F. No. 218: A bill for an act relating to crimes; expanding the rights of victims of crime; affirming the right of victims to bring civil actions against offenders; establishing the right of a victim to request restitution; providing for implementation of victim and witness rights by law; providing penal

sanctions and judicial mechanisms to deter intimidation of witnesses; requiring development of a plan for notifying crime victims about available financial assistance and social services; providing for victim participation in the criminal process; providing penalties; amending Minnesota Statutes 1982, sections 241.26, subdivisions 5 and 6; 243.23, subdivision 3; 571.55, by adding a subdivision; 609.115, subdivision 1; 609.498; and 631.425, subdivision 5; proposing new law coded as Minnesota Statutes, chapter 611A.

Referred to the Committee on Judiciary.

H.F. No. 226: A bill for an act relating to civil actions; authorizing pledges and members of student organizations to maintain actions for self-damages; proposing new law coded in Minnesota Statutes, chapter 127.

Referred to the Committee on Judiciary.

H.F. No. 316: A bill for an act relating to insurance; accident and health; extending the period of time during which group coverage is in force for terminated employees who elect this coverage; amending Minnesota Statutes 1982, section 62A.17, subdivisions 2 and 5.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 287.

H.F. No. 419: A bill for an act relating to insurance; fire; hail; requiring the insured, in case of loss, to show the damaged property and related records to the company and consent to be examined under oath; providing for the exchange of information on losses or potential losses between companies and authorized persons; providing for the appraisal of losses; specifying the procedure to be used in selecting appraisers; amending Minnesota Statutes 1982, sections 65A.01, subdivision 3; 65A.26; 65A.29; and 299F.054, subdivisions 1, 2, 4, and by adding a subdivision.

Referred to the Committee on Economic Development and Commerce.

H.F. No. 576: A bill for an act relating to insurance; health and accident; providing coverage for adopted children from the date of placement for adoption; proposing new law coded in Minnesota Statutes, chapter 62A.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 534.

H.F. No. 445: A bill for an act relating to the city of St. Paul; setting the maximum amounts of and other conditions for the issuance of capital improvement bonds; amending Laws 1971, chapter 773, sections 1, as amended, and 2, as amended.

Referred to the Committee on Local and Urban Government.

H.F. No. 463: A bill for an act relating to municipal planning and zoning; authorizing the establishment of a joint planning board; requiring the filing of copies of certain documents; amending Minnesota Statutes 1982, sections 462.3585; and 462.36, subdivision 1.

Referred to the Committee on Local and Urban Government.

H.F. No. 561: A bill for an act relating to metropolitan government; providing for the metropolitan transit commission property tax; amending

Minnesota Statutes 1982, section 473.446, subdivision 1.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 458, now on General Orders.

### REPORTS OF COMMITTEES

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

Mr. Chmielewski from the Committee on Employment, to which was re-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, as amended; and 290.18, subdivision 4.

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

Page 12, line 25, after "*adopt*" insert "*temporary*"

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

S.F. No. 427: A bill for an act relating to the state building code; establishing new requirements for the use of glazed safety glass in hazardous locations; amending Minnesota Statutes 1982, section 299G.13, subdivision 10.

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 299G.13, subdivision 3, is amended to read:

Subd. 3. "Hazardous locations" means those structural elements, glazed or to be glazed, in residential buildings and other structures used as dwellings, commercial buildings, industrial buildings, and public buildings, known as interior and exterior commercial entrance and exit doors, and the immediately adjacent ~~flat fixed~~ *operable and inoperable* glazed panels, sliding glass door units including the fixed glazed panels which are part of such units, storm or combination doors, shower and bathtub enclosures, primary residential entrance and exit doors and the ~~fixed or~~ *operable and inoperable* adjacent sidelites, whether or not the glazing in such doors,

panels and enclosures is transparent.

Sec. 2. Minnesota Statutes 1982, section 299G.13, subdivision 10, is amended to read:

Subd. 10. ~~“Fixed flat~~ *Operable and inoperable* glazed panels immediately adjacent to entrance or exit doors” means the ~~first fixed flat glazed panel~~ panels on either or both sides of interior or exterior doors, ~~48 inches or less in width, the~~ *and within the same wallplane as the door, whose nearest vertical edge of which is located within six feet horizontally of the nearest vertical edge of the door 12 inches of the door in a closed position and whose bottom edge is less than 60 inches above the floor or walking surface.”*

Delete the title and insert:

“A bill for an act relating to safety glazing material; establishing new requirements for the use of glazed safety glass in hazardous locations; amending Minnesota Statutes 1982, section 299G.13, subdivisions 3 and 10.”

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

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

S.F. No. 409: A bill for an act relating to education; establishing a lending program to fund school energy conservation investments; authorizing the issuance of state bonds pursuant to article XI of the Minnesota Constitution; appropriating money; amending Minnesota Statutes 1982, section 275.125, subdivisions 11a, 11b, and by adding a subdivision; amending Laws 1969, chapter 775, section 4, by adding a subdivision; chapter 822, by adding a section; chapter 1060, by adding a section; and proposing new law coded in Minnesota Statutes, chapters 116J and 124.

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

Page 3, line 23, after “obligations” insert “*may be issued and sold in such manner or on such terms and conditions as the school board may determine, and*”

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

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

S.F. No. 78: A bill for an act relating to commerce; providing procedures for opening checking accounts; extending civil liability for issuing a worthless check; clarifying conciliation court jurisdiction regarding dishonored checks; modifying procedures to prove issuance of a worthless check; expanding types of worthless checks prohibited; requiring banks to release certain checking account information; increasing penalties for issuing a worthless or forged check; amending Minnesota Statutes 1982, sections 487.30, subdivision 4; 488A.12, subdivision 3; 488A.29, subdivision 3;

609.535, subdivisions 2, 3, 5, 6, 7, and 8, and by adding subdivisions; and 609.625, subdivision 1; proposing new law coded in Minnesota Statutes, chapters 48, 332, and 609.

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

Delete everything after the enacting clause and insert:

“Section 1. [48.512] [PROCEDURES FOR OPENING CHECKING ACCOUNTS.]

*Subdivision 1. [DEFINITIONS.] For the purpose of this section the following terms have the meanings given:*

*(a) “Financial intermediary” means a person doing business in this state who offers transaction accounts to the public.*

*(b) “Transaction account” means a deposit or account established or maintained by a natural person or persons under an individual or business name for personal, household, or business purposes on which the depositor or account holder is permitted to make withdrawals by negotiable or transferable instruments, payment orders of withdrawal, or other similar device for the purpose of making payments or transfers to third persons or others, including demand deposits or accounts subject to check, draft, negotiable order of withdrawal, share draft, or other similar item. “Transaction account” does not include the deposit or account of a partnership having more than three partners, the personal representative of an estate, the trustee of a trust, or a limited partnership.*

*Subd. 2. [REQUIRED INFORMATION.] Before opening or authorizing signatory power over a transaction account, a financial intermediary shall require one applicant to provide the following information on an application document signed by the applicant under the penalties for perjury in section 609.48:*

*(a) full name;*

*(b) birth date;*

*(c) address of residence;*

*(d) address of current employment, if employed;*

*(e) residence telephone number, if any;*

*(f) social security number;*

*(g) driver’s license or identification card number issued pursuant to section 171.07. If the applicant does not have a driver’s license or identification card, the applicant may provide an identification document number if the document includes the applicant’s photograph, full name, birth date, and signature;*

*(h) whether the applicant has had a transaction account at the same or another financial intermediary within 12 months immediately preceding the application and, if so, the identity of the financial intermediary;*

*(i) whether the applicant has had a transaction account closed by financial intermediary without the applicant’s consent within 12 months immediately*

*preceding the application and, if so, the identity of the financial intermediary and the reason the account was closed; and*

*(j) whether the applicant has been convicted of a criminal offense involving the use of a check or other similar item within 24 months immediately preceding the application.*

*A financial intermediary may require an applicant to disclose additional information.*

**Subd. 3. [ACCOUNT OPENING DATE.]** *All checks, drafts, negotiable orders of withdrawal, share drafts, or other similar items which are drawn against a transaction account after the effective date of this section shall, for a period of not less than 12 months, clearly display on the face thereof the month and year in which the account was opened, if:*

*(a) the applicant represents on the application document that he has not maintained a transaction account within 12 months immediately preceding the application; or*

*(b) the applicant represents on the application document that he has been convicted of a criminal offense involving the use of a check or other similar item within 24 months immediately preceding the application.*

**Subd. 4. [CONFIRM NO INVOLUNTARY CLOSING.]** *Before opening or authorizing signatory power over a transaction account, the financial intermediary shall obtain oral or written confirmation of the information disclosed for subdivision 2, clause (i), if it is available from a commercially reliable source. The financial intermediary may not open or authorize signatory power over a transaction account if it obtains information that the applicant had a transaction account closed by a financial intermediary without his consent because of his issuance of dishonored checks within 12 months immediately preceding the application.*

**Subd. 5. [NO LIABILITY.]** *The requirements of this section shall not be construed to impose any liability on financial intermediaries offering transaction accounts nor, except as provided in subdivision 4, to limit a financial intermediary's discretion as to whether to grant or deny an application subject to this section.*

**Sec. 2. [332.50] [CIVIL LIABILITY FOR ISSUANCE OF WORTHLESS CHECK.]**

**Subdivision 1. [DEFINITIONS.]** *For the purposes of this section, the following terms have the meanings given them.*

*(a) "Check" means a check, draft, order of withdrawal or similar negotiable or nonnegotiable instrument.*

*(b) "Credit" means an arrangement or understanding with the drawee for the payment of the check.*

**Subd. 2. [ACTS CONSTITUTING.]** *Whoever issues any check which, at the time of issuance, he intends shall not be paid, is liable to the holder for twice the amount of the check, interest at 18 percent per year on the amount of the check from the date of dishonor, reasonable attorney fees if the amount of the check is over \$1,000, and a service charge not exceeding \$15 if written notice of the service charge (1) was conspicuously displayed on the premises*

when the check was issued; or (2) was contained in any document obligating the drawer to make any payment to the payee.

*This subdivision prevails over any provision of law limiting, prohibiting, or otherwise regulating service charges authorized by this subdivision.*

*Subd. 3. [PROOF OF INTENT.] Any of the following establishes a rebuttable presumption that the person at the time he issued the check intended it should not be paid:*

*(1) proof that, at the time of issuance, he did not have an account with the drawee; or*

*(2) proof that, at the time of issuance, he did not have sufficient funds or credit with the drawee and that he failed to pay the check within ten business days after mailing of notice of nonpayment or dishonor as provided in this subdivision; or*

*(3) proof that, when presentment was made within a reasonable time, the issuer did not have sufficient funds or credit with the drawee and that he failed to pay the check within ten business days after mailing of notice of nonpayment or dishonor as provided in this subdivision.*

*Notice of nonpayment or dishonor must be sent by the payee or holder of the check to the drawer by certified mail, return receipt requested, or by regular mail, supported by an affidavit of service by mailing, to the address printed or written on the check. The issuance of a check with an address printed or written on it is a representation by the drawer that the address is the correct address for receipt of mail concerning the check. Failure of the drawer to receive a regular or certified mail notice sent to that address is not a defense to liability under this section, nor does it rebut the presumption of intent established by this subdivision, if the drawer has had actual notice for a period of ten days that the check was dishonored.*

*An affidavit of service by mailing must be retained by the holder of the check.*

*Subd. 4. [PROOF OF LACK OF FUNDS OR CREDIT.] If the check has been protested, the notice of protest thereof is admissible as proof of presentation, nonpayment, and protest, and is evidence sufficient to sustain a finding that there was a lack of funds or credit with the drawee.*

*Subd. 5. [PROOF OF IDENTITY.] The check is prima facie evidence of the identity of the drawer if the person receiving the check:*

*(a) records the following information about the drawer on the check, unless it is printed on the face of the check:*

*(1) full name,*

*(2) home or work address,*

*(3) home or work telephone number, and*

*(4) identification number issued pursuant to section 171.07;*

*(b) compares the drawer's physical appearance, signature, and the personal information recorded on the check with the drawer's identification card issued pursuant to section 171.07; and*



(c) initials the check to indicate compliance with these requirements.

Subd. 6. [EXCEPTION.] Subdivision 3, clause (2), does not apply to a postdated check.

Subd. 7. [DEFENSES.] Any defense otherwise available to the drawer also applies to liability under this section.

Sec. 3. Minnesota Statutes 1982, section 487.30, subdivision 4, is amended to read:

Subd. 4. [JURISDICTION; ~~WORTHLESS DISHONORED CHECKS.~~] The conciliation court has jurisdiction to determine a civil action commenced by a plaintiff, resident of the county, to recover the amount of a ~~worthless dishonored~~ check as defined in section 2 issued in the county ~~within the meaning of section 609.535, notwithstanding that even though the~~ defendant or defendants are not residents of the county ~~provided that ; if the~~ notice of nonpayment or dishonor ~~required by described in section 609.535,~~ subdivision 3, is sent to the ~~maker or~~ drawer as specified therein and the notice states that the ~~payee or~~ holder of the check ~~or other order of payment of money~~ may commence a conciliation court action in the county where the ~~worthless dishonored~~ check was issued to recover the amount of the check. This subdivision does not apply to a check ~~or other order for payment of money~~ that has been dishonored by a stop payment order. Notwithstanding any law or rule of civil procedure to the contrary, the summons in any action commenced under this subdivision may be served anywhere within the state of Minnesota. The conciliation court clerk shall attach a copy of the dishonored check ~~or other order for payment of money~~ to the summons before it is issued.

Sec. 4. Minnesota Statutes 1982, section 488A.12, subdivision 3, is amended to read:

Subd. 3. [JURISDICTION.] (a) Excepting actions involving title to real estate, the court has jurisdiction to hear, conciliate, try and determine civil actions at law where the amount in controversy does not exceed the sum of \$1,250. The territorial jurisdiction of the court is coextensive with the geographic boundaries of the county of Hennepin.

(b) Notwithstanding the provisions of ~~clause paragraph~~ (a), or any rule of court to the contrary, the conciliation court of Hennepin county has jurisdiction to determine an action brought pursuant to section 504.20 for the recovery of a deposit on rental property located in whole or in part in Hennepin county, and the summons in the action may be served anywhere within the state of Minnesota.

(c) Notwithstanding the provisions of ~~clause paragraph~~ (a), or any rule of court to the contrary, the conciliation court of Hennepin county has jurisdiction to determine a civil action commenced by a plaintiff, a resident of Hennepin county, to recover the amount of a ~~worthless dishonored~~ check as defined in section 2 issued in the county ~~within the meaning of section 609.535, notwithstanding that even though the~~ defendant or defendants are not residents of Hennepin county ~~provided that ; if the~~ notice of nonpayment or dishonor ~~required by described in section 609.535,~~ subdivision 3, is sent to the ~~maker or~~ drawer as specified therein and the notice states that the ~~payee or~~ holder of the check ~~or other order of payment of money~~ may commence a

conciliation court action in the county where the ~~worthless~~ *dishonored* check was issued to recover the amount of the check. This clause does not apply to a check ~~or other order for payment of money~~ that has been dishonored by a stop payment order. Notwithstanding any law or rule of civil procedure to the contrary, the summons in any action commenced under this clause may be served anywhere within the state of Minnesota. The conciliation court administrator shall attach a copy of the dishonored check ~~or other order for payment of money~~ to the summons before it is issued.

Sec. 5. Minnesota Statutes 1982, section 488A.29, subdivision 3, is amended to read:

Subd. 3. [JURISDICTION.] (a) Excepting actions involving title to real estate, the court has jurisdiction to hear, conciliate, try and determine civil actions at law where the amount in controversy does not exceed the sum of \$1,250. The territorial jurisdiction of the court is coextensive with the geographic boundaries of the county of Ramsey.

(b) Notwithstanding the provisions of ~~clause paragraph~~ (a) or any rule of court to the contrary, the conciliation court of Ramsey county has jurisdiction to determine an action brought pursuant to section 504.20 for the recovery of a deposit on rental property located in whole or in part in Ramsey county, and the summons in the action may be served anywhere in the state of Minnesota.

(c) Notwithstanding the provisions of ~~clause paragraph~~ (a) or any rule of court to the contrary, the conciliation court of Ramsey county has jurisdiction to determine a civil action commenced by a plaintiff, resident of Ramsey county, to recover the amount of a ~~worthless~~ *dishonored* check as defined in section 2 issued in the county ~~within the meaning of section 609.535, notwithstanding that even though~~ the defendant or defendants are not residents of Ramsey county ~~provided that~~ ; if the notice of nonpayment or dishonor ~~required by described in~~ section 609.535, subdivision 3, is sent to the ~~maker or drawer as specified therein and the notice states that the payee or holder of the check or other order of payment of money may commence a conciliation court action in the county where the~~ *worthless* *dishonored* check was issued to recover the amount of the check. This clause does not apply to a check ~~or other order for the payment of money~~ that has been dishonored by a stop payment order. Notwithstanding any law or rule of civil procedure to the contrary, the summons in any action commenced under this clause may be served anywhere within the state of Minnesota. The conciliation court administrator shall attach a copy of the dishonored check ~~or other order for payment of money~~ to the summons before it is issued.

Sec. 6. Minnesota Statutes 1982, section 609.535, subdivision 1, is amended to read:

Subdivision 1. [~~DEFINITION~~ *DEFINITIONS.*] *For the purpose of this section, the following terms have the meanings given them.*

(a) "Check" means a check, draft, order of withdrawal, or similar negotiable or nonnegotiable instrument.

(b) "Credit" means an arrangement or understanding with the drawee for the payment of the check ~~or other order for the payment of money to which this section applies.~~

Sec. 7. Minnesota Statutes 1982, section 609.535, subdivision 2, is amended to read:

Subd. 2. [ACTS CONSTITUTING.] Whoever issues ~~any a check or other order for the payment of money~~ which, at the time of issuance, he intends shall not be paid, is guilty of a ~~misdemeanor crime and is punishable as provided in subdivision 10~~. In addition, restitution may be ordered by the court.

Sec. 8. Minnesota Statutes 1982, section 609.535, subdivision 3, is amended to read:

Subd. 3. [PROOF OF INTENT.] Any of the following is evidence sufficient to sustain a finding that the person at the time he issued the check ~~or other order for the payment of money~~; intended it should not be paid:

(1) Proof that, at the time of issuance, he did not have an account with the drawee; or

(2) Proof that, at the time of issuance, he did not have sufficient funds or credit with the drawee and that he failed to pay the check ~~or other order~~ within ~~five~~ *ten* business days after mailing of notice of nonpayment or dishonor as provided in this subdivision; or

(3) Proof that, when presentment was made within a reasonable time, the issuer did not have sufficient funds or credit with the drawee and that he failed to pay the check ~~or other order~~ within ~~five~~ *ten* business days after mailing of notice of nonpayment or dishonor as provided in this subdivision ; or

(4) *Proof that, if the check was issued for the purchase of personal property, the drawer stopped payment on the check without first returning the property to the seller, unless the drawer has a colorable defense to the duty to pay for the property.*

Notice of nonpayment or dishonor ~~shall must~~ be sent by the ~~payee or~~ holder of the check to the ~~maker or~~ drawer by certified mail, return receipt requested, or by regular mail, supported by an affidavit of service by mailing, to the address printed *or written* on the check. ~~Refusal by the maker or drawer of the check to accept certified mail notice or failure to claim certified or regular mail notice shall not constitute a defense that notice was not received~~ *The issuance by the drawer of a check with an address printed or written on it is a representation by the drawer that the address is the correct address for receipt of mail concerning the check. Failure of the drawer to receive a regular or certified mail notice sent to that address is not a defense to a charge of violating section 609.535, if the drawer has had actual notice for a period of ten days that the check was dishonored.*

The notice may state that unless the check is paid in full within ~~five~~ *ten* business days after mailing of the notice of non-payment or dishonor, the ~~payee or~~ holder of the check ~~or other order for the payment of money~~ will or may refer the matter to proper authorities for prosecution under this section.

An affidavit of service by mailing ~~shall must~~ be retained by the ~~payee or~~ holder of the check.

Sec. 9. Minnesota Statutes 1982, section 609.535, subdivision 5, is

amended to read:

Subd. 5. [EXCEPTIONS.] This section does not apply to a postdated check *unless the payee or the payee's employee who received the check did not know that it was postdated*, or to a check given for a past consideration, except a payroll check or a check issued to a fund for employee benefits.

Sec. 10. Minnesota Statutes 1982, section 609.535, subdivision 6, is amended to read:

Subd. 6. [RELEASE OF ACCOUNT INFORMATION TO LAW ENFORCEMENT AUTHORITIES.] A drawee ~~shall~~ *is not be* liable in a civil or criminal proceeding for releasing the information specified below to any state, county, or local law enforcement or prosecuting authority which first certifies in writing that it is investigating or prosecuting a complaint against the drawer under this section or section 609.52, subdivision 2, clause (3)(a), and that 15 days have elapsed since the mailing of the notice required by ~~subdivision~~ *subdivisions 3 and 8*. This subdivision applies to the following information relating to the drawer's account:

- (1) Documents relating to the opening of the account by the drawer;
- (2) ~~Correspondence between the drawer and the drawee relating to the status of the account~~ *Notices regarding nonsufficient funds, overdrafts, and the dishonor of any instrument drawn on the account within a period of six months of the date of request;*
- (3) Periodic statements mailed to the drawer by the drawee for the periods immediately prior to, during, and subsequent to the issuance of any check ~~or other order for the payment of money~~ which is the subject of the investigation or prosecution; or
- (4) The last known home and business addresses and ~~the last known home telephone numbers~~ *number* of the drawer.

*The drawee shall release all of the information described in clauses (1) to (4) which it possesses within ten days after receipt of a request conforming to all of the provisions of this subdivision. The drawee shall not impose any charge for furnishing this information to law enforcement or prosecuting authorities.*

Sec. 11. Minnesota Statutes 1982, section 609.535, subdivision 7, is amended to read:

Subd. 7. [RELEASE OF ACCOUNT INFORMATION TO PAYEE OR HOLDER.] ~~If there is a written request to a drawee from a payee or holder of a check or other order for the payment of money that has been dishonored other than by a stop payment order, which request is accompanied by a copy of the dishonored check or other order for payment of money the A drawee is not liable in a civil or criminal proceeding for releasing the information specified below to the payee or holder any of a check that has been dishonored who first makes a written request for this information and states in writing that the check has not been honored and that ten business days have elapsed since the mailing of the notice described in subdivision 8 and who accompanies this request with a copy of the dishonored check and a copy of the notice of dishonor.~~

*The requesting holder shall notify the drawee immediately to cancel this*

*request if payment is made before the drawee has released this information.*

*This subdivision applies to the following information relating to the drawer's account:*

(1) Whether at the time the check or other order for payment of money was issued or presented for payment the drawer had sufficient funds or credit with the drawee, and whether at that time the account was open, closed or restricted for any reason and the date it was closed or restricted; and

(2) The last known home and business addresses and the last known home telephone numbers number of the drawer.

*The drawee shall release all of the information described in clauses (1) and (2) which it possesses within ten days after receipt of a request conforming to all of the provisions of this subdivision.*

Sec. 12. Minnesota Statutes 1982, section 609.535, subdivision 8, is amended to read:

Subd. 8. [NOTICE.] The provisions of subdivisions 6 and 7 are not applicable unless the notice to the maker or drawer required by subdivision 3 states that if the check or other order for the payment of money is not paid in full within five ten business days after mailing of the notice, the drawee may is required by law to release upon proper request information relating to the account to the payee or holder of the check or other order for the payment of money and to law enforcement or prosecuting authorities.

Sec. 13. Minnesota Statutes 1982, section 609.535, is amended by adding a subdivision to read:

Subd. 9. [PROOF OF IDENTITY.] *In any prosecution under this section or section 609.52, subdivision 2, clause (3)(a), the check is prima facie evidence of the identity of the drawer of a check if the person receiving the check:*

*(a) records the following information about the drawer on the check, unless it is printed on its face:*

*(1) name,*

*(2) home or work address,*

*(3) home or work telephone number, and*

*(4) identification number issued pursuant to section 171.07;*

*(b) compares the drawer's physical appearance, signature, and the personal information recorded on the check with the drawer's identification card issued pursuant to section 171.07; and*

*(c) initials the check to indicate compliance with these requirements.*

Sec. 14. Minnesota Statutes 1982, section 609.535, is amended by adding a subdivision to read:

Subd. 10. [PENALTIES.] *Whoever violates subdivision 2 may be sentenced as follows:*

*(1) to imprisonment for not more than ten years or to payment of a fine of not more than \$10,000, or both, if the aggregate amount of the checks ex-*

ceeds \$2,500; or

(2) to imprisonment for not more than five years or to payment of a fine of not more than \$5,000, or both, if the aggregate amount of the checks exceeds \$150 but is not more than \$2,500; or

(3) to imprisonment for not more than 90 days or to payment of a fine of not more than \$500, or both, if the aggregate amount of the checks is \$150 or less.

*The amount of any checks issued by the defendant in violation of subdivision 2 within any six-month period may be aggregated and the defendant charged and punished accordingly in applying the provisions of this subdivision; and when two or more violations of subdivision 2 are committed by the same person in two or more counties, the defendant may be prosecuted in any county in which one of the offenses was committed and his checks may be aggregated pursuant to this subdivision. The election to aggregate checks within any six-month period and to charge the defendant accordingly under this section does not bar any prosecution of the defendant on nonaggregated checks issued by the defendant during that same six-month period.*

Sec. 15. Minnesota Statutes 1982, section 609.625, subdivision 1, is amended to read:

609.625 [AGGRAVATED FORGERY.]

Subdivision 1. [MAKING OR ALTERING WRITING OR OBJECT.] Whoever, with intent to defraud, falsely makes or alters a writing or object of any of the following kinds so that it purports to have been made by another or by himself under an assumed or fictitious name, or at another time, or with different provisions, or by authority of one who did not give such authority, is guilty of aggravated forgery and may be sentenced to imprisonment for not more than ten years or to payment of a fine of not more than \$10,000, or both:

(1) A writing or object *other than a check as defined in section 609.535, subdivision 1*, whereby, when genuine, legal rights, privileges, or obligations are created, terminated, transferred, or evidenced, or any writing normally relied upon as evidence of debt or property rights; or

(2) An official seal or the seal of a corporation; or

(3) A public record or an official authentication or certification of a copy thereof; or

(4) An official return or certificate entitled to be received as evidence of its contents; or

(5) A court order, judgment, decree, or process; or

(6) The records or accounts of a public body, office, or officer; or

(7) The records or accounts of a bank or person, with whom funds of the state or any of its agencies or subdivisions are deposited or entrusted, relating to such funds.

Sec. 16. [609.636] [CHECK FORGERY.]

*Subdivision 1. [CHECK FORGERY; ELEMENTS.] Whoever, with intent*

*to defraud, falsely makes or alters a check as defined in section 609.535, subdivision 1, so that it purports to have been made by another or by himself under an assumed or fictitious name, or at another time, or with different provisions, or by the authority of one who did not give such authority, is guilty of check forgery and may be sentenced as provided in subdivision 2.*

*Subd. 2. [PENALTIES.] Whoever violates this section is punishable as follows:*

*(a) if the aggregate face amount of the checks forged by the defendant is more than \$2,500, to imprisonment for not more than 15 years or to payment of a fine of not more than \$15,000, or both; or*

*(b) if the aggregate face amount of the checks forged by the defendant is more than \$150 but does not exceed \$2,500, to imprisonment for not more than ten years or to payment of a fine of not more than \$10,000, or both; or*

*(c) if the aggregate face amount of the checks forged by the defendant is \$150 or less, to imprisonment for not more than five years or to payment of a fine of not more than \$5,000, or both.*

*In any prosecution under this section, the amount of any checks falsely made or altered by the defendant in violation of subdivision 1 within any six-month period may be aggregated and the defendant charged and punished accordingly in applying the provisions of this subdivision; and when two or more violations of subdivision 1 are committed by the same person in two or more counties, the defendant may be prosecuted in any county in which one of the offenses was committed, and his checks may be aggregated pursuant to this subdivision. The election to aggregate checks within any six-month period and to charge the defendant accordingly under this section shall not bar any prosecution of the defendant on nonaggregated checks falsely made or altered by the defendant during that six-month period.*

**Sec. 17. [609.637] [OBTAINING SIGNATURE ON CHECK BY FALSE PRETENSE.]**

*Whoever, by false pretense, obtains the signature of another to a check as defined in section 609.535, subdivision 1, may be punished as though the check was a forgery under section 16.*

**Sec. 18. [REPEALER.]**

*Minnesota Statutes 1982, section 48.511, is repealed."*

*Amend the title as follows:*

*Page 1, line 13, after "subdivisions" insert "1,"*

*Page 1, line 16, before the period, insert "": repealing Minnesota Statutes 1982, section 48.511"*

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

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

*S.F. No. 416: A bill for an act relating to certain towns in Goodhue*

County; authorizing the town board to set the hours the polling places will be open in town elections.

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. 530: A bill for an act relating to the city of Roseville; providing an exception from the Roseville police civil service system for the chief and deputy chief of police.

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. 472: A bill for an act relating to local government; authorizing sewer and water commissions to obtain accountant services; amending Minnesota Statutes 1982, section 116A.24, subdivision 2.

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

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

S.F. No. 150: A bill for an act relating to veterans affairs; providing residents of the Minnesota veterans home with a right to complain about home accommodations and services; prohibiting retaliatory eviction of residents who exercise their right to complain; proposing new law coded in Minnesota Statutes, chapter 198.

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

Page 2, line 8, delete "*There shall be a*"

Page 2, delete lines 9 to 11

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. 151: A bill for an act relating to veterans affairs; prohibiting searches at the Minnesota veterans home except under criminal warrant; proposing new law coded in Minnesota Statutes, chapter 198.

Reports the same back with the recommendation that the bill be referred to the Committee on Judiciary without recommendation. Report adopted.

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



S.F. No. 280: A bill for an act relating to data privacy; establishing standards and procedures for the release of financial information; proposing new law coded as Minnesota Statutes, chapter 13B.

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

Delete everything after the enacting clause and insert:

“Section 1. [13A.01] [DEFINITIONS.]

*For the purpose of this chapter, the following terms have the meanings given them.*

*Subdivision 1. [FINANCIAL INSTITUTION.] “Financial institution” means any office of a bank, savings bank, industrial loan company, trust company, savings and loan, building and loan, credit union, or consumer finance institution, located in the state.*

*Subd. 2. [FINANCIAL RECORD.] “Financial record” means an original of, a copy of, or information known to have been derived from, any record held by a financial institution pertaining to a customer's relationship with the financial institution.*

*Subd. 3. [GOVERNMENT AUTHORITY.] “Government authority” means any agency or department of the state or a local unit of government, or any officer, employee, or agent of it.*

*Subd. 4. [CUSTOMER.] “Customer” means any natural person or authorized representative of that person who utilized or is utilizing any service of a financial institution, or for whom a financial institution is acting or has acted as a fiduciary, in relation to an account maintained in the person's name.*

*Subd. 5. [LAW ENFORCEMENT INQUIRY.] “Law enforcement inquiry” means a lawful investigation or official proceeding inquiring into a violation of, or failure to comply with, any criminal or civil statute or any rule or order issued pursuant to it.*

**Sec. 2. [13A.02] [ACCESS TO FINANCIAL RECORDS BY GOVERNMENT AUTHORITIES PROHIBITED.]**

*Subdivision 1. [ACCESS BY GOVERNMENT.] Except as authorized by this chapter, no government authority may have access to, or obtain copies of, or the information contained in, the financial records of any customer from a financial institution unless the financial records are reasonably described and:*

- (1) The customer has authorized the disclosure;*
- (2) The financial records are disclosed in response to a search warrant;*
- (3) The financial records are disclosed in response to a judicial or administrative subpoena; or*
- (4) The financial records are disclosed pursuant to section 609.535 or other statute or rule.*

*Subd. 2. [RELEASE PROHIBITED.] No financial institution, or officer, employee, or agent of a financial institution, may provide to any government*

*authority access to, or copies of, or the information contained in, the financial records of any customer except in accordance with the provisions of this chapter.*

*Nothing in this chapter shall require a financial institution to inquire or determine that those seeking disclosure have duly complied with the requirements of this chapter, provided only that the customer authorization, search warrant, subpoena, or written certification pursuant to section 609.535, subdivision 6, or other statute or rule, served on or delivered to a financial institution shows compliance on its face.*

*Subd. 3. [NOTICE TO CUSTOMER.] Within 180 days after a government authority obtains access to the financial records of a customer pursuant to a search warrant or a judicial or administrative subpoena, it shall notify the customer of its action unless a delay of notice is obtained pursuant to section 3. The notice shall be sufficient to inform the customer of the name of the government authority or government authorities having had access to the records, the financial records to which access was obtained, and the purpose of the law enforcement inquiry, including transfers of financial records made pursuant to subdivision 5. Notice may be given by providing the customer with a copy of the search warrant or subpoena.*

*Subd. 4. [DUTY OF FINANCIAL INSTITUTIONS.] Upon receipt of a request for financial records made by a government authority, the financial institution shall, unless otherwise provided by law, proceed to assemble the records requested within a reasonable time and be prepared to deliver the records to the government authority upon receipt of the search warrant or subpoena required under this section.*

*Subd. 5. [USE OF INFORMATION.] Financial records originally obtained pursuant to this chapter may be transferred to another government authority provided the transferred records are pertinent and necessary to the receiving authority in initiating, furthering, or completing a law enforcement inquiry.*

*When financial records subject to this chapter are transferred to another government authority, the transferring authority shall include the name of the receiving authority and the financial records transferred in the notice required by subdivision 3 of this section or, if the transfer occurs after the notice has been sent to the customer, the transferring authority shall, upon written request by the customer, inform the customer of the name of the government authority to which the financial records were transferred.*

*Subd. 6. [STATUS OF RECORDS.] All financial records obtained by a government authority pursuant to this section are subject to the provisions of section 13.82, subdivision 5.*

### **Sec. 3. [13A.03] [DELAYED NOTICE.]**

*Subdivision 1. [APPLICATION.] Upon application of the government authority, a customer notice pursuant to section 2, subdivision 3, may be delayed by order of an appropriate court if the judge finds that:*

*(1) The law enforcement inquiry being conducted is within the lawful jurisdiction of the government authority seeking the financial records;*

*(2) There is reason to believe that the records being sought are relevant to*

*a legitimate law enforcement inquiry; and*

*(3) There is reason to believe that the notice will result in (i) endangering life or physical safety of any person; (ii) flight from prosecution; (iii) destruction of or tampering with evidence; (iv) intimidation of potential witnesses; or (v) otherwise seriously jeopardizing an investigation or official proceeding or unduly delaying a trial or ongoing official proceeding.*

*An application for delay must be made with reasonable specificity.*

*Subd. 2. [ORDER.] If the court makes the findings required in subdivision 1, it shall enter an ex parte order granting the requested delay for a period not to exceed 180 days and an order prohibiting the financial institution from disclosing that records have been obtained. If the court finds that there is reason to believe that the notice may endanger the life or physical safety of any person, the court may specify that the delay be indefinite.*

*Extensions of the delay of notice of up to 90 days each may be granted by the court upon application.*

*Subd. 3. [NOTICE.] Upon expiration of the period of delay of notification under this section, the customer shall be served with a copy of the notice required by section 2, subdivision 3.*

#### Sec. 4. [13A.04] [EXCEPTIONS.]

*Subdivision 1. [STATUTORY VIOLATIONS.] Nothing in this chapter precludes any financial institution, or any officer, employee, or agent of a financial institution, from notifying a government authority that the institution, or officer, employee, or agent has information which may be relevant to a possible violation of any statute or rule and providing access to financial records relevant to the possible violation.*

*Subd. 2. [RELEASE INCIDENT TO ANOTHER PROCEEDING.] Nothing in this chapter precludes a financial institution, as an incident to perfecting a security interest, proving a claim in bankruptcy, or otherwise collecting on a debt owing either to the financial institution itself or in its role as a fiduciary, from providing copies of any financial record to any court or government authority.*

*Subd. 3. [GOVERNMENT ASSISTANCE PROGRAMS.] Nothing in this chapter precludes a financial institution, as an incident to processing an application for assistance to a customer in the form of a government loan, loan guaranty, or loan insurance agreement, or as an incident to processing a default on, or administering a government guaranteed or insured loan, from providing access to an appropriate government authority with any financial record necessary to permit the authority to carry out its responsibilities under a loan, loan guaranty, or loan insurance agreement.*

*Whenever a customer applies for participation in a government loan, loan guaranty, or loan insurance program, the government authority administering the program shall give the customer written notice of the authority's access rights under this subdivision. No further notification shall be required for subsequent access by that authority during the term of the loan, loan guaranty, or loan insurance agreement.*

*Financial records obtained pursuant to this subdivision may be used only*

*for the purpose for which they were originally obtained.*

*Subd. 4. [OTHER EXCEPTIONS.] Nothing in this chapter:*

*(a) Prohibits the disclosure of any financial records or information which is not identified with or identifiable as being derived from the financial records of a particular customer;*

*(b) Prohibits examination by or disclosure to the commissioner of banks of financial records or information in the exercise of his supervisory, regulatory, or monetary functions with respect to a financial institution;*

*(c) Shall apply when financial records are sought by a government authority under the rules of civil or criminal procedure in connection with litigation to which the government authority and the customer are parties;*

*(d) Shall apply when financial records are sought by a government authority in connection with a lawful proceeding, investigation, examination, or inspection directed at the financial institution in possession of the records or at a legal entity which is not a customer;*

*(e) Shall apply to any subpoena or court order issued in connection with proceedings before a grand jury;*

*(f) Shall apply to subpoenas issued in civil cases pursuant to the rules of civil procedure; or*

*(g) Shall apply when a government authority is seeking only the name, address, account number, and type of account of any customer or ascertainable group of customers associated with a financial transaction or class of financial transaction.*

Sec. 5. [EFFECTIVE DATE.]

*This act is effective January 1, 1984."*

Amend the title as follows:

Page 1, line 5, delete "13B" and insert "13A"

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

Mr. Moe, R.D. from the Committee on Rules and Administration, to which were referred for proper reference under Rule 35:

S.F. Nos. 430, 753 and 772, reports the same back with the recommendation that the bills be re-referred as follows:

S.F. No. 430 to the Committee on Finance.

S.F. No. 753 to the Committee on Taxes and Tax Laws.

S.F. No. 772 to the Committee on Agriculture and Natural Resources.

Report adopted.

Mr. Moe, R.D. from the Committee on Rules and Administration, to which was referred under Rule 35, together with the committee report thereon,

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 report from the Committee on Local and Urban Government, shown in the Journal for March 21, 1983, be adopted; that committee recommendation being

"the bill be amended 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. 388: A bill for an act relating to education; establishing a board of directors for two year post-secondary education; requesting the release of the technical colleges from the University of Minnesota; transferring powers, duties, and functions from school districts, school boards, the state board for vocational education, and the state board for community colleges to the board of directors of two year post-secondary education; appropriating money; proposing new law coded as Minnesota Statutes, chapter 136B.

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

Delete everything after the enacting clause and insert:

"Section 1. [INTENTION OF THE LEGISLATURE.]

*It is the intention of the legislature to create a state board of vocational-technical education to govern post-secondary and adult vocational education.*

*Further, it is the intention of the legislature that secondary vocational education be governed by the state board of education as an essential and integral part of the secondary instructional program.*

*Further, it is the intention of the legislature that the state board of education and the state board of vocational-technical education conduct their affairs cooperatively to continue the coordination of secondary vocational education with post-secondary and adult vocational education.*

*Further, it is the intention of the legislature, with respect to post-secondary and adult vocational education, that the present balance of powers, duties, and functions between school boards and the state be retained except as provided in this act.*

*Further, it is the intention of the legislature to allow for flexibility and the opportunity for participation by affected parties during the time preceding the assumption of governing responsibilities.*

*Finally, it is the intention of the legislature that the state board of vocational-technical education commence its proceedings with due deliberation, demonstrating concern for existing successful programs, concern for present diverse programs, needs, and methods of delivery, and thoughtful consideration of the complexities of governing and coordinating the affected parties and programs.*

Sec. 2. [136B.01] [ESTABLISHMENT.]

*A state board of vocational-technical education is established to govern*

*post-secondary and adult vocational education.*

Sec. 3. [136B.05] [DEFINITIONS.]

*Subdivision 1. [SCOPE.] For the purpose of this chapter, the following terms have the meanings given them.*

*Subd. 2. [CHANCELLOR.] "Chancellor" means the chancellor of vocational-technical education.*

*Subd. 3. [INTERMEDIATE DISTRICT.] "Intermediate district" means a district with a cooperative program which has been established under Laws 1967, chapter 822, as amended; Laws 1969, chapter 775, as amended; and Laws 1969, chapter 1060, as amended, offering integrated services for secondary, post-secondary, and adult pupils in the areas of vocational, special education, and other services for low incidence populations authorized by the school board.*

*Subd. 4. [INSTRUCTIONAL PROGRAM.] "Instructional program" means post-secondary and adult vocational education.*

*Subd. 5. [SCHOOL BOARD.] "School board" means the school board of a district and, in the case of an intermediate district, the board of the intermediate district.*

*Subd. 6. [DISTRICT.] "District" means a school district providing post-secondary or adult vocational education or an intermediate district.*

*Subd. 7. [STATE BOARD.] "State board" means the state board of vocational-technical education.*

Sec. 4. [136B.10] [SOLE STATE AGENCY.]

*For the purposes of requesting and receiving state and federal vocational moneys and for carrying out state coordination as provided by state and federal statutes, the state board is designated the sole state agency for vocational education. The state board shall transfer moneys to be used for secondary vocational education to the state board of education in accordance with memorandums of cooperation, as agreed upon by both state boards.*

Sec. 5. [136B.15] [STATE BOARD MEMBERSHIP.]

*Subdivision 1. [COMPOSITION AND SELECTION.] The state board shall consist of 11 members, one from each congressional district and three members to represent the state at large. The members shall be appointed by the governor with the advice and consent of the senate. Ten members shall be selected for their knowledge of and interest in vocational-technical education, and one shall be a full-time student enrolled in an area vocational-technical institute or so enrolled within one year before appointment to the state board. Except for the student member, no member while serving on the state board may be an employee of or receiving compensation from a public or private institution providing post-secondary or adult vocational education.*

*Subd. 2. [TERMS.] The membership terms, compensation, removal of members, and filling of vacancies on the state board shall be as provided in section 15.0575, except that the terms of the student member shall be two years.*

*Subd. 3. [ADMINISTRATION.] The state board shall elect a president and other officers as it may desire. It shall determine its meeting dates and places. The commissioner of administration shall provide the state board with appropriate offices.*

**Sec. 6. [FIRST STATE BOARD.]**

*Subdivision 1. [APPOINTMENT AND TERMS.] Members of the state board shall be appointed by July 1, 1983, and shall assume full responsibility for governance on July 1, 1984. The terms of the members of the first state board shall be as follows: the terms of two members shall end on the first Monday in January, 1988; the terms of three members shall end on the first Monday in January, 1987; the terms of three members shall end on the first Monday in January, 1986; and the terms of three members shall end on the first Monday in January, 1985.*

*Subd. 2. [DEVELOPMENT OF PROCEDURES AND REPORT.] The state board shall develop initial procedures to assume governance with the advice and consultation of the state board for vocational education, appropriate state agencies, school boards, and other affected parties. The procedures shall include at least: proposed revisions in the process for budgeting and allocating moneys, proposals for transfer of state employees and related employment matters, and proposals for statutory and rule changes. The state board shall report to the legislature its findings and recommendations by January 1, 1984.*

*Subd. 3. [CHANCELLOR.] The state board may commence proceedings to appoint a chancellor. Candidates invited by the state board for interview may be reimbursed for travel and subsistence expenses in the same manner and amounts as state employees. The chancellor may be appointed at the time determined by the state board.*

*Subd. 4. [STAFF.] The state board may employ necessary staff to carry out its duties under subdivision 2. On request of the state board the department of education may temporarily assign any of its employees to assist the state board.*

**Sec. 7. [136B.15] [POWERS AND DUTIES OF THE STATE BOARD.]**

*Subdivision 1. [GENERAL.] The state board shall have the powers and duties enumerated in this section.*

*Subd. 2. [APPOINTMENT OF CHANCELLOR AND PERSONNEL.] The state board shall appoint a chancellor of vocational-technical education who shall serve in the unclassified service. The chancellor shall be qualified by training and experience in the field of education, vocational education, or administration. The chancellor shall possess powers and perform duties as delegated by the state board. The state board shall set the salary of the chancellor subject to the provisions of section 15A.081.*

*Subd. 3. [EMPLOYEES.] The state board shall appoint officers and employees necessary to carry out its duties. Senior officers and other professional employees shall serve in the unclassified service at the pleasure of the chancellor. All other employees shall be in the classified service. The state board shall organize its employees in a manner it deems proper with personnel policies in compliance with chapter 43A. These policies shall include*

*salary plans for personnel who are not subject to negotiated salary agreements.*

*Subd. 4. [BARGAINING REPRESENTATIVE.] The chancellor or the chancellor's representative shall consult with the commissioner of employee relations. The commissioner shall represent the state in employment contract negotiations with the bargaining representatives of the employees, pursuant to the provisions of chapter 43A and sections 179.61 to 179.76.*

*Subd. 5. [BUDGET REVIEW.] The state board shall prepare and submit a biennial budget request to the governor.*

*Subd. 6. [PLANNING.] The state board shall develop a long-range plan for the instructional program, facilities, and use of resources, specifying goals and objectives. The plan shall be developed with the advice of appropriate state agencies, school boards, and other affected parties. The state board shall review this plan biennially to evaluate its success in meeting these goals and objectives.*

*Subd. 7. [ACCOUNTING AND REPORTING STANDARDS.] The state board shall maintain the uniform financial accounting and reporting system according to the provisions of sections 121.90 to 121.917.*

*Subd. 8. [ATTENDANCE AND COMPLETION.] The state board shall prescribe conditions of admission, tuition, fees, and other related matters. The state board shall prescribe requirements for completion of programs and approve the awarding of appropriate certificates or associate degrees consistent with the provisions of section 121.218.*

*Subd. 9. [CONTRACTS; COOPERATIVE AGREEMENTS.] The state board may enter into contracts or cooperative agreements with the state board of education, higher education governing boards, educational institutions, or appropriate state agencies.*

*Subd. 10. [ALLOCATION.] The state board shall allocate state and federal post-secondary and adult vocational education moneys.*

*Subd. 11. [LICENSURE.] The state board may promulgate rules, according to the provisions of chapter 14, for licensure of teaching, support, and supervisory personnel in post-secondary and adult vocational education. Licenses shall be issued through the board of teaching.*

*Subd. 12. [SHORT TERM PROGRAMS.] The state board may approve a short term program as an economic development initiative that will not become a permanent part of the instructional program. The short term program shall have an approved program length of not more than two years and be operated for a specified duration.*

*Subd. 13. [PROGRAMS.] The state board shall approve, disapprove, and coordinate programs. After consultation with affected school boards, the state board may add, eliminate, transfer, or change programs as it determines advisable. The state board shall consider the integrated services of secondary, post-secondary and adult vocational education when it reviews intermediate district programs.*

*In the case of intermediate districts, the state board shall apply the following criteria when adding, eliminating, transferring, or changing programs:*



*(a) the school board shall be allowed to continue offering integrated secondary, post-secondary, and adult programs; and (b) the school board may determine the use of facilities and equipment for secondary, post-secondary, adult, and special education programs and educational services for low incidence populations.*

*Subd. 14. [DISCONTINUE.] The state board, after consultation with the affected school board, may require the school board to discontinue operation of an area vocational-technical institute.*

*Subd. 15. [REORGANIZATION.] The state board, after consultation with the affected school boards, may merge or reorganize institutes or establish regional service areas for the purpose of increased efficiency, use of personnel, placement of programs, student access, and other needs as determined by the board.*

*Subd. 16. [PUBLIC HEARINGS.] The state board shall conduct public hearings in matters of allocation of money, and closing, merging, or reorganizing institutions. Notice shall be given to affected persons in the manner determined appropriate by the state board. All affected persons shall be given the opportunity to be heard, but the state board may impose reasonable restrictions on time. The state board shall take final action at a regular or special meeting at least seven days after the public hearing.*

*Subd. 17. [TIMING OF ACTIONS.] The state board may consider the provisions of sections 125.12, subdivision 4, and 125.17, subdivision 3, when it takes actions under subdivisions 13, 14, and 15.*

*Subd. 18. [COOPERATION FOR VOCATIONAL PROGRAM.] The state board of education shall cooperate with the state board of vocational-technical education to promote establishment of policies and methods to improve the quality and efficiency of all vocational programs in the state.*

*Subd. 19. [RESIDUAL POWERS.] The state board shall have any additional powers and duties necessary and incident to the management, jurisdiction, and control of post-secondary and adult vocational education.*

**Sec. 8. [136B.20] [POWERS AND DUTIES OF THE SCHOOL BOARD.]**

*Subdivision 1. [PERSONNEL.] A school board shall employ licensed teachers, support personnel, and supervisory personnel for its instructional program. The director shall be appointed by the school board.*

*Subd. 2. [FINANCE.] The school board shall prepare and submit budgets as required by the state board. The school board shall approve all expenditures.*

*Subd. 3. [PROGRAMS.] The school board shall operate and maintain the instructional program, subject to the provisions of section 7. The school board may assess area employment needs and recommend short term programs and revisions of the instructional program to the state board.*

*Subd. 4. [FACILITIES AND EQUIPMENT.] The school board shall operate and maintain all facilities and equipment and shall employ personnel to do so.*

**Sec. 9. [EFFECT OF TRANSFER.]**

*Subdivision 1. [BOARD TRANSFER.] The state board for vocational ed-*

ucation is abolished on June 30, 1984. The powers, duties, and functions of the state board for vocational education are transferred to the state board of vocational-technical education, as established in section 2.

*Subd. 2. [TRANSFER NOT TO AFFECT LEGAL ACTION.] The transfer of powers, duties, and functions shall not affect any action or proceeding, whether administrative, civil, or criminal, pending at the time of the transfer. The action shall be continued in the name of the state board of vocational-technical education which, upon application to the appropriate court, shall be substituted as a party to the action or proceeding.*

*Subd. 3. [TRANSFER OF CERTAIN PERSONAL PROPERTY.] All books, maps, plans, papers, records, contracts, documents, and personal property of every description related to post-secondary and adult vocational education in the possession or control of the state board for vocational education and the state board of education shall be transferred to the state board of vocational-technical education. The transfer shall be made in accordance with the directions of the state board of vocational-technical education.*

*Subd. 4. [NO TRANSFER OF REAL PROPERTY.] The rights to possession, ownership, and title of real property related to area vocational-technical institutes shall not be modified, altered, or changed in any way by virtue of the transfer effectuated by this act.*

*Subd. 5. [NO TRANSFER OF CERTAIN PERSONAL PROPERTY.] The rights of school boards, as defined in section 3, subdivision 5, to possession, ownership, and title of personal property at the time of transfer shall not be modified, altered, or changed in any way by virtue of the transfer effectuated by this act. The rights of the state of Minnesota to possession, ownership, and title of personal property at the time of transfer shall not be modified, altered, or changed in any way by virtue of the transfer effectuated by this act.*

*Subd. 6. [TRANSFER OF MONEYS.] All moneys appropriated to the state board for vocational education for post-secondary and adult vocational education, which are unencumbered and unexpended on June 30, 1984, shall be transferred and reappropriated to the state board of vocational-technical education.*

*Subd. 7. [CONSTRUCTION OF STATUTES, CONTRACTS, AND DOCUMENTS.] Whenever the state board for vocational education or its officers is referred to or designated in a statute, contract, or document, the reference or designation shall be construed to mean the state board of vocational-technical education or its officers.*

*Subd. 8. [TRANSFER OF RULES.] Rules of the state board of education relating to post-secondary and adult vocational education shall remain in full force and effect until amended, repealed, or suspended by the state board of vocational-technical education. Rules governing licensure of secondary vocational education teachers, support personnel, and supervisory personnel shall not be affected by virtue of the transfer effectuated by this act.*

**Sec. 10. [PLAN FOR COOPERATION.]**

*Subdivision 1. [PLAN.] For increased financial efficiency and effectiveness in serving their community and in responding to changing enrollment*

*needs, each area vocational-technical institute and community college located in the same community shall jointly develop a plan for cooperation. The institutions included are those located in Thief River Falls, Hibbing, Brainerd, Willmar, Rochester, Austin, White Bear Lake, Minneapolis, Anoka County, Hennepin County, Dakota County, and Eveleth and the Mesabi community college.*

*Subd. 2. [CONTENTS OF PLAN.] Each plan shall propose a strategy for sharing of facilities, personnel, and resources. These strategies may include campus mergers, reorganizations, discontinuance of programs, changes in governance, and other such methods. Each plan shall identify estimated savings and the manner in which the savings will be achieved. Each plan shall include a proposal for the use of 50 percent of the estimated savings, pursuant to subdivision 3.*

*Subd. 3. [SUBMISSION OF PLANS TO BOARDS.] Each plan shall be submitted to the state board for community colleges and the state board of vocational-technical education by October 1, 1983. Each state board shall review each plan and approve or disapprove it. A disapproved plan shall be returned to the institutions where it shall be modified and resubmitted to the state boards. Following the approval of the state boards, the institutions shall be permitted to retain 50 percent of their demonstrated savings.*

*Subd. 4. [REVIEW AND COMMENT.] By December 1, 1983, each state board shall submit all approved plans to the higher education coordinating board for review and comment. Each state board and the higher education coordinating board shall report on the plans to the legislature by January 1, 1984.*

**Sec. 11. [REPEALER.]**

*Minnesota Statutes 1982, sections 121.11, subdivision 1; and 124.53 are repealed.*

**Sec. 12. [APPROPRIATION.]**

*The sum of \$150,000 is appropriated from the general fund to the state board of vocational-technical education for the purpose of implementing the provisions of this act and shall be available for the fiscal year ending June 30, 1984.*

**Sec. 13. [EFFECTIVE DATE.]**

*Sections 1, 6, 10, and 12 are effective the day following final enactment. Sections 2, 3, 4, 5, 7, 8, 9, and 11 are effective July 1, 1984."*

**Delete the title and insert:**

**"A bill for an act relating to education; establishing a state board of vocational-technical education to govern post-secondary and adult vocational education; establishing the powers and duties of the state board of vocational-technical education; clarifying the powers and duties of school boards; abolishing the state board for vocational education; clarifying certain matters related to the transfer of powers; requiring a plan for cooperation between certain community colleges and area vocational-technical institutes; appropriating money; proposing new law coded in Minnesota Statutes, chapter 136B; repealing Minnesota Statutes 1982, sections**

121.11, subdivision 1; and 124.53.”

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

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

S.F. No. 249: A bill for an act relating to education; authorizing Independent School District No. 206, Alexandria, to construct an addition to its area vocational-technical institute subject to certain conditions.

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

Page 1, line 18, delete “*cost of*”

Page 1, line 18, delete “*shall*” and insert “*does*”

Page 1, line 18, delete “*total*”

Page 2, line 2, delete “*According*” and insert “*Pursuant*”

Page 2, line 3, delete “*1, clause (a)*” and insert “*2*”

Page 2, line 3, delete “*the day*”

Page 2, delete line 4 and insert “*upon approval by the school board of Independent School District No. 206, Alexandria.*”

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

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

S.F. No. 403: A bill for an act relating to agriculture; making certain changes in the family farm security loan program; amending Minnesota Statutes 1982, sections 16.02, subdivision 14; 41.52, by adding a subdivision; 41.53, subdivision 2; 41.54, subdivision 2; 41.55; 41.56, subdivisions 2, 4, 5, and by adding subdivisions; 41.57, subdivisions 2 and 3; 41.58, subdivision 1; 41.59, subdivisions 1, 2, and 3; 41.61, subdivision 1; 48.19, by adding a subdivision; and 287.04; proposing new law coded in Minnesota Statutes, chapter 15.

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

Page 1, delete section 1

Page 2, line 16, strike “*promulgate*” and insert “*adopt*”

Page 3, line 17, reinstate the stricken language and delete the new language

Page 3, delete section 7

Page 5, line 24, after the period, insert “*The commissioner may contract for the services of a licensed real estate agent or broker to assist in selling any property acquired under this section and may pay for the services from the proceeds of the sale before proceeds are distributed under section 8.*”

Page 6, after line 36, insert:

“Sec. 10. Minnesota Statutes 1982, section 41.56, is amended by adding a subdivision to read:

*Subd. 7. [INSURANCE.] The commissioner may insure the state against loss to farm properties acquired under this section by fire, lightning, wind-storm, tornado, flood, or hail, using any insurance company licensed to do business in Minnesota. The insurance may be in an amount the commissioner determines and the commissioner may pay the premiums from the special account created in section 41.61, subdivision 1.”*

Pages 7 and 8, delete section 13 and insert:

“Sec. 12. Minnesota Statutes 1982, section 41.57, is amended by adding a subdivision to read:

*Subd. 2a. [FARM MANAGEMENT PROGRAM TUITION.] The commissioner may provide assistance in the payment of tuition and fees in any adult farm management education program which qualifies for aid under section 124.572. Assistance may be provided to any participant who is eligible to receive a payment adjustment under subdivision 2 and shall be limited to \$300 per calendar year for any participant. The participant shall reimburse the commissioner for the sums paid on the participant's behalf under this subdivision at the same time and in the same manner as the payment adjustment is reimbursed.”*

Page 10, line 10, after “purchase” insert “, at a mortgage foreclosure sale,”

Page 10, line 10, delete “at mortgage”

Page 10, line 11, delete “foreclosure sales” and insert “on property with respect to which the commissioner holds a junior lien”

Page 10, delete sections 19 and 20 and insert:

“Sec. 18. Minnesota Statutes 1982, section 15.38, is amended by adding a subdivision to read:

*Subd. 5. [FAMILY FARM SECURITY PROGRAM.] The commissioner of agriculture may purchase insurance as authorized in section 41.56, subdivision 7.*

Sec. 19. [EFFECTIVE DATE.]

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

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 4, after “sections” insert “15.38, by adding a subdivision;”

Page 1, line 6, delete “2,”

Page 1, line 7, delete “subdivisions 2 and 3” and insert “subdivision 2, and by adding a subdivision”

Page 1, line 8, after the second semicolon, insert “and”

Page 1, line 9, delete everything after “1” and insert a period

Page 1, delete lines 10 and 11

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

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

H.F. No. 298: A bill for an act relating to the city of St. Paul; regulating appeals, hearings, and procedures concerning the human rights commission; amending Laws 1965, chapter 866, section 1.

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

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

S.F. No. 630: A bill for an act relating to real property; revising and clarifying certain provisions relating to the registration of real property; amending Minnesota Statutes 1982, sections 508.03; 508.06; 508.08; 508.16, subdivision 2; 508.22; 508.23, by adding a subdivision; 508.24, subdivision 2; 508.25; 508.35; 508.36; 508.47, subdivision 6; 508.48; 508.49; 508.50; 508.55; 508.60; 508.62; 508.65; 508.71; 508.82; 508A.01, subdivision 1; 508A.06; 508A.17, subdivision 1; 508A.25; 508A.35; 508A.47, subdivision 6; 508A.48; 508A.49; 508A.50; 508A.55; 508A.62; 508A.65; 508A.71; 508A.82; proposing new law coded in Minnesota Statutes, chapters 508 and 508A; repealing Minnesota Statutes, sections 508.41; 508.42; 508A.41; and 508A.42.

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

Page 3, lines 11 and 20, strike "thereof" and insert "*of it*"

Page 3, lines 15 and 23, strike "such" and insert "*the*"

Page 3, lines 19 and 30, strike "the same" and insert "*it*"

Page 3, line 25, strike "wherein" and insert "*in which*"

Page 3, line 34, strike "thereby" and insert "*by it*"

Page 3, line 36, strike "the"

Page 4, line 1, strike "same" and insert "*it*"

Page 4, line 1, strike the first "the" and insert "*its*" and strike "thereof"

Page 4, line 1, strike ", and" and insert a period

Page 4, line 2, strike "thus"

Page 4, line 4, strike "therein" in both places and insert "*in it*" in both places and strike "Such" and insert "*The*"

Page 4, line 22, after "2." insert "[JURISDICTION.]" and strike "as herein"

Page 4, line 23, strike "provided," and strike everything after "court" and insert "*acquires*"

Page 4, line 27, strike "the same" and insert "*it*"

Page 4, line 33, delete ``*as herein*''

Page 4, line 34, delete ``*provided,*''

Page 5, line 11, strike the last ``the'' and insert ``*its*''

Page 5, line 12, strike ``thereof''

Page 5, lines 14 and 29, strike ``therein'' and insert ``*in it*''

Page 5, line 14, strike ``thereto'' and insert ``*to it*''

Page 5, line 22, strike the comma and strike ``and such'' and insert ``*The*''

Page 5, line 24, strike ``thereby'' and insert ``*by it*''

Page 5, line 30, strike ``in''

Page 5, line 31, strike ``like manner as if such'' and insert ``*as though the*''

Page 5, line 35, after ``*Ia.*'' insert ``[JUDICIAL DETERMINATION OF BOUNDARIES.]''

Page 6, line 18, after ``2.'' insert ``[PETITION; NONMETROPOLITAN COUNTIES.]''

Page 6, line 21, after ``for'' insert ``*its*'' and strike ``of the same'' and strike ``*, which*'' and insert ``*The*''

Page 6, lines 22, 27, 28, 30, and 34, strike ``such'' and insert ``*the*''

Page 6, line 25, strike ``*, which*'' and insert ``*The*''

Page 7, lines 6, 7, and 18, strike ``such'' and insert ``*the*''

Page 7, line 10, strike ``thereupon shall''

Page 7, lines 17 and 22, strike ``the same'' and insert ``*it*''

Page 7, line 32, strike ``Such'' and insert ``*The*''

Page 8, lines 13 and 17, strike ``thereof'' and insert ``*of it*''

Page 10, lines 3 and 18, strike ``thereof'' and insert ``*of it*''

Page 10, line 7, strike ``therein'' and insert ``*in it*''

Page 11, line 20, strike ``said'' and insert ``*the*''

Page 11, line 22, strike ``the'' and insert ``*its*'' and strike ``thereof''

Page 12, lines 11 and 15, strike ``thereof'' and insert ``*of it*''

Page 12, lines 14, 18, and 26, strike ``such'' and insert ``*the*''

Page 12, line 31, delete ``*such*'' and insert ``*the*''

Page 13, line 8, strike the second ``the'' and insert ``*its*''

Page 13, line 9, strike ``of same''

Page 13, line 25, strike ``the same'' and insert ``*they*''

Page 13, line 25, strike ``thereto'' and insert ``*to them*''

Page 13, lines 32 and 33, strike ``such'' and insert ``*the*''

Page 13, line 36, strike "the" and insert "its" and strike "thereof"

Page 14, line 3, strike "thereof" and insert "of it"

Page 14, line 15, strike "in all cases"

Page 14, line 19, delete ", and" and insert a period

Page 14, line 31, delete "thereof" and insert "of it"

Page 15, line 12, delete "like" and insert "the" and delete "as herein"

Page 15, line 19, delete "such" and insert "the"

Page 15, line 30, after "order" insert a comma

Page 16, line 9, after "1." insert "[ALTERATIONS.]"

Page 16, line 11, strike "thereon" and insert "on it"

Page 16, line 13, delete "except"

Page 16, line 15, after "2." insert "[COURT ORDER.]"

Page 16, line 17, after "that" insert "(1)"

Page 16, line 19, strike "or that" and insert "(2)"

Page 16, line 20, strike "or that" and insert "(3)"

Page 16, line 22, strike "or that" and insert "(4)"

Page 16, line 23, strike "or that" and insert "(5)"

Page 16, line 25, strike "or that" and insert "(6)"

Page 16, line 27, strike "the same" and insert "it" and after "or" insert "(7)."

Page 17, lines 1 and 20, strike "such" and insert "the"

Page 17, line 2, strike "; but" and insert a period

Page 17, line 13, after "3." insert "[DIRECTIVE BY EXAMINER.]"

Page 17, line 14, after "interest" insert a comma

Page 17, line 21, after "4." insert "[REGISTRATION OF MEMORIALS.]"

Page 17, line 22, after "examiner" insert a comma

Page 17, line 24, strike the semicolon and insert a colon

Page 17, line 33, after the comma, insert "and a"

Page 18, line 1, strike "said" and insert "the" and strike "; and" and insert a period

Page 18, lines 2, 13, 21, and 23, strike "such" and insert "the"

Page 18, line 2, after "certificates" insert a comma

Page 18, line 4, after "5." insert "[SURVIVORSHIP.]"

Page 18, line 17, after "6." insert "[RECORDED INSTRUMENTS.]"

Page 18, line 35, strike "thereof" and insert "of it"



Page 19, lines 1 and 5, strike "therewith" and insert "with it"

Page 19, line 21, strike "thereof" and insert "of it"

Page 20, lines 3 and 8, delete "thereto" and insert "to it"

Page 27, line 5, delete "such" and insert "the"

Page 28, line 8, delete "said" and insert "the"

Page 28, line 20, delete ", and" and insert a period

Page 31, line 32, delete "thereof" and insert "of it"

Page 32, lines 14, 20, and 22, delete "thereto" and insert "to it"

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. 276: A bill for an act relating to motor vehicles; increasing the time allowed to complete certain activities involving motor vehicle transfers to 21 days; amending Minnesota Statutes 1982, sections 168.092, subdivision 1; 168.101, subdivision 2; 168.15; 168.30; 168.31, subdivision 3; and 168A.30, subdivision 2.

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

Pages 1 to 5, delete sections 2 to 6

Amend the title as follows:

Page 1, delete line 3

Page 1, line 4, delete "vehicle transfers" and insert "for the validity of temporary registration permits"

Page 1, line 5, delete "sections" and insert "section" and delete the semicolon and insert a period

Page 1, delete lines 6 and 7

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. 673: A bill for an act relating to motor vehicles; abolishing vehicle weight limitation for handicapped persons to obtain special plates; amending Minnesota Statutes 1982, section 168.021, subdivision 1.

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

Page 1, line 12, reinstate the stricken "with a"

Page 1, line 13, after the stricken "9,000" insert "manufacturer's rated capacity of 2,000" and reinstate the stricken "pounds or less" and insert ",

*or a self-propelled recreational vehicle."*

Amend the title as follows:

Page 1, line 2, delete everything after the semicolon

Page 1, line 3, delete "limitation" and insert "providing"

Page 1, line 4, before the semicolon insert "for recreational vehicles"

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. 699: A bill for an act relating to highway traffic regulations; regulating the use of materials on the windshields, side windows, and rear windows of motor vehicles; amending Minnesota Statutes 1982, section 169.71, by adding a subdivision.

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

Ms. Berglin from the Committee on Health and Human Services, to which was referred

S.F. No. 654: A bill for an act relating to state departments and agencies; authorizing a study by the department of energy, planning and development of a possible merger of the departments of health and public welfare into a new state department to be called the department of human services; appropriating money.

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

Page 1, line 14, delete "plan to consider" and insert "study of"

Page 1, line 17, delete "plan" and insert "study" and delete "political" and insert "intergovernmental"

Page 1, line 18, delete "to include" and insert "including"

Page 1, line 23, delete "transfer" and insert "merger"

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

Ms. Berglin from the Committee on Health and Human Services, to which was referred

S.F. No. 669: A bill for an act relating to public welfare; authorizing a prospective payment system for inpatient hospital service under the medical assistance and general assistance medical care programs; establishing an appeals board; defining "emergency services" for purposes of medical assistance outpatient services; amending Minnesota Statutes 1982, section 256B.02, subdivision 8; proposing new law coded in Minnesota Statutes, chapter 256.

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

as follows:

Page 1, lines 14 and 15, delete "The legislature directs"

Page 1, line 15, delete "to" and insert "shall"

Page 2, line 23, delete "supercedes" and insert "supersedes"

Page 2, line 36, delete "shall be" and insert "are"

Page 3, line 2, after "except" insert "initial triage," and before "and" insert a comma

Page 6, after line 1, insert:

"Sec. 3. [DEMONSTRATION PROJECT WAIVER.]

*Each hospital that participates as a provider in a demonstration project, established by the commissioner of public welfare to deliver medical assistance services on a prepaid, capitation basis, is exempt from the prospective payment system established under sections 1 and 2 during the period of its participation in that project.*

Sec. 4. [STUDY; REPORT.]

*The commissioner of public welfare shall study the feasibility of paying for inpatient hospital service on a rate per specific episode basis, with adjustment for level of acuteness. The commissioner shall consider whether using diagnostically related groups or another method is most appropriate. The commissioner shall report to the legislature no later than January 15, 1984, with recommendations on how and when to implement this payment system and with proposals for any necessary legislation.*

Sec. 5. [APPLICATION; MAXIMUM RATE INCREASE.]

*The prospective payment system developed under sections 1 to 4 shall be applied, beginning July 1, 1983, to hospitals with a fiscal year beginning on that date. Each remaining hospital shall continue to be paid on a cost per case basis, limited to a maximum increase of eight percent per state fiscal year, until the first date of its first full fiscal year that begins after July 1, 1983; on and after that date it shall be paid through the prospective payment system.*

Sec. 6. [EFFECTIVE DATE.]

*Sections 1 to 5 are effective July 1, 1983."*

Amend the title as follows:

Page 1, line 7, after "services;" insert "providing an exemption from the prospective payment system for participants in demonstration project; requiring a report to the legislature;"

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

Ms. Berglin from the Committee on Health and Human Services, to which was referred

S.F. No. 723: A bill for an act relating to public welfare; providing guide-

lines for considering race and ethnic origin in foster care and adoption placement; requiring recruitment, periodic review, reporting, and record-keeping; providing for a voluntary task force; amending Minnesota Statutes 1982, sections 257.01; 257.071, subdivision 2, and by adding subdivisions; 259.28; 260.181, subdivision 3; 260.191, subdivision 1; 260.192; and 260.242, by adding a subdivision; proposing new law coded in Minnesota Statutes, chapters 257 and 259.

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

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1982, section 257.01, is amended to read:

257.01 [RECORDS REQUIRED.]

Each person or authorized child placing agency permitted by law to receive children, secure homes for children, or care for children, shall keep a record containing the name, age, and former residence, legal status, health records, sex, race, and accumulated length of time in foster care, if applicable, of each child received; the name, former residence, occupation, health history, and character, of each genetic parent; the date of reception, placing out, and adoption of each child, and the name, race, occupation, and residence of the person with whom a child is placed; the date of the removal of any child to another home and the ~~cause thereof~~ reason for removal; the date of termination of the guardianship; the history of each child until he reaches the age of 18 years, is legally adopted, or is discharged according to law; and ~~such~~ further demographic and other information as is required by the commissioner of public welfare.

Sec. 2. [257.0701] [AUTHORIZED CHILD PLACING AGENCY DEFINITION.]

*For the purposes of chapters 257 and 259, "authorized child placing agency" means the local social service agency under the authority of the county welfare board or human service board, or any agency licensed by the commissioner of public welfare or a comparable authority in the state or United States, to place children for foster care or adoption.*

Sec. 3. Minnesota Statutes 1982, section 257.071, is amended by adding a subdivision to read:

*Subd. 1a. [PROTECTION OF HERITAGE OR BACKGROUND.] The authorized child placing agency shall ensure that the child's best interests are met by giving due consideration of the child's race or ethnic heritage in making a family foster care placement. The authorized child placing agency shall place a child, released by court order or by voluntary release by the parent or parents, in a family foster home selected by following the preferences described in section 260.181, subdivision 3.*

Sec. 4. Minnesota Statutes 1982, section 257.071, subdivision 2, is amended to read:

~~Subd. 2. [SIX MONTH REVIEW OF VOLUNTARY PLACEMENTS.] If the child has been placed in a residential facility pursuant to a voluntary release by his parent or parents, There shall be an administrative review of the case~~

plan ~~shall be subject to an administrative review~~ of each child placed in a residential facility no later than 180 days after the initial placement of the child in a residential facility and at least every six months thereafter if the child is not returned to the home of his parent or parents within that time. As an alternative to the administrative review, the social service agency responsible for the placement may bring a petition as provided in section 260.131, subdivision 1a, to the court for review of the foster care to determine if placement is in the best interests of the child. This petition must be brought to the court within the applicable six months and is not in lieu of the requirements contained in subdivision 3 or 4.

Sec. 5. Minnesota Statutes 1982, section 257.071, is amended by adding a subdivision to read:

*Subd. 6. [ANNUAL FOSTER CARE REPORT.] The commissioner of public welfare shall publish annually a report on children in residential facilities as defined in subdivision 1. The report shall include, by county and statewide, information on legal status, living arrangement, age, sex, race, accumulated length of time in foster care, and other demographic information deemed appropriate on all children placed in residential facilities. The report shall also state the extent to which authorized child placing agencies comply with sections 6 and 11 and include descriptions of the methods used to comply with those sections.*

Sec. 6. [257.072] [RECRUITMENT OF FOSTER FAMILIES.]

*Each authorized child placing agency shall make special efforts to recruit a foster family from among the child's relatives, except as authorized in section 260.181, subdivision 3, and among families of the same minority racial or minority ethnic heritage. Special efforts include contacting and working with community organizations and religious organizations, utilizing local media and other local resources, and conducting outreach activities. The agency may accept any gifts, grants, offers of services and other contributions to use in making special recruitment efforts.*

Sec. 7. [259.255] [PROTECTION OF HERITAGE OR BACKGROUND.]

*The policy of the state of Minnesota is to ensure that the best interests of the child are met by requiring due consideration of the child's minority race or minority ethnic heritage in adoption placements.*

*The authorized child placing agency shall give preference, in the absence of good cause to the contrary, to placing the child with (a) a relative or relatives of the child, or, if that would be detrimental to the child or a relative is not available, (b) a family with the same racial or ethnic heritage as the child, or, if that is not feasible, (c) a family of different racial or ethnic heritage from the child which is knowledgeable and appreciative of the child's racial or ethnic heritage.*

*If the child's genetic parent or parents explicitly request that the preference described in clause (a) or clauses (a) and (b) not be followed, the authorized child placing agency shall honor that request consistent with the best interests of the child.*

*If the child's genetic parent or parents express a preference for placing the child in an adoptive home of the same or a similar religious background to*

*that of the genetic parent or parents, in following the preferences in clause (a) or (b), the agency shall place the child with a family that also meets the genetic parent's religious preference. Only if no family is available that is described in clause (a) or (b) may the agency give preference to a family described in clause (c) that meets the parent's religious preference.*

Sec. 8. Minnesota Statutes 1982, section 259.27, subdivision 1, is amended to read:

Subdivision 1. [COMMISSIONER'S DUTIES.] Upon the filing of a petition for adoption of a child the clerk of court shall immediately transmit a copy of the petition to the commissioner of public welfare. The commissioner shall verify the allegations of the petition, investigate the conditions and antecedents of the child for the purpose of ascertaining whether he is a proper subject for adoption, and make appropriate inquiry to ascertain whether the proposed foster home and the child are suited to each other *and whether the proposed foster home meets the preferences described in section 259.28, subdivision 2.* The report of the county welfare board submitted to the commissioner of public welfare bearing on the suitability of the proposed foster home and the child to each other shall be confidential, and the records of the county welfare board or the contents thereof shall not be disclosed either directly or indirectly to any person other than the commissioner of public welfare or a judge of the court having jurisdiction of the matter. Within 90 days after the receipt of said copy of the petition the commissioner shall submit to the court a full report in writing with his recommendations as to the granting of the petition. If such report is not returned within the 90 days, without fault of petitioner, the court may hear the petition upon giving the commissioner five days notice by mail of the time and place of the hearing. If such report disapproves of the adoption of the child, the commissioner may recommend that the court dismiss the petition.

Sec. 9. Minnesota Statutes 1982, section 259.27, subdivision 2, is amended to read:

Subd. 2. [ADOPTION AGENCIES.] Notwithstanding the provisions of subdivision 1, if the child to be adopted has been committed to the guardianship of an agency pursuant to section 260.241, or if the child has been surrendered to an agency pursuant to section 259.25 the court, in its discretion, may refer the adoption petition to such agency, or, if the adopting parent has a step-parent relationship to the child, to the county welfare department of the county in which the adoption is pending. The agency or county welfare department, within 90 days of receipt of a copy of the adoption petition, shall file with the court a report of its investigation of the environment and antecedents of the child to be adopted and of the home of the petitioners *and its determination whether the home of the petitioners meets the preferences described in section 259.28, subdivision 2.* If such report disapproves of the adoption of the child, the agency or county welfare department may recommend that the court dismiss the petition.

Sec. 10. Minnesota Statutes 1982, section 259.28, is amended to read:

259.28 [HEARING, DECREE.]

*Subdivision 1.* [FINDINGS; ORDERS.] Upon the hearing,

(a) if the court ~~shall find~~ *finds* that it is in the best interests of the child that

the petition be granted, a decree of adoption shall be made and recorded in the office of the clerk of court, ordering that henceforth the child shall be the child of the petitioner. In the decree the court may change the name of the child if desired. After the decree is granted the clerk of court shall immediately mail a copy of the recorded decree to the commissioner of public welfare;

(b) if the court is not satisfied that the proposed adoption is in the best interests of the child, the court shall deny the petition, and shall order the child returned to the custody of the person or agency legally vested with permanent custody or certify the case for appropriate action and disposition to the court having jurisdiction to determine the custody and guardianship of the child.

*Subd. 2. [PROTECTION OF HERITAGE OR BACKGROUND.] The policy of the state of Minnesota is to ensure that the best interests of children are met by requiring due consideration of the child's minority race or minority ethnic heritage in adoption placements.*

*In the adoption of a child of minority racial or minority ethnic heritage, in reviewing adoptive placement, the court shall consider preference, and in determining appropriate adoption, the court shall give preference, in the absence of good cause to the contrary, to (a) a relative or relatives of the child, or, if that would be detrimental to the child or a relative is not available, to (b) a family with the same racial or ethnic heritage as the child, or if that is not feasible, to (c) a family of different racial or ethnic heritage from the child that is knowledgeable and appreciative of the child's racial or ethnic heritage.*

*If the child's genetic parent or parents explicitly request that the preference described in clause (a) or in clauses (a) and (b) not be followed, the court shall honor that request consistent with the best interests of the child.*

*If the child's genetic parent or parents express a preference for placing the child in an adoptive home of the same or a similar religious background to that of the genetic parent or parents, in following the preferences in clause (a) or (b), the court shall place the child with a family that also meets the genetic parent's religious preference. Only if no family is available as described in clause (a) or (b) may the court give preference to a family described in clause (c) that meets the parent's religious preference.*

#### Sec. 11. [259.455] [FAMILY RECRUITMENT.]

*Each authorized child placing agency shall make special efforts to recruit an adoptive family from among the child's relatives, except as authorized in section 259.28, subdivision 2, and among families of the same minority racial or minority ethnic heritage. Special efforts include contacting and working with community organizations and religious organizations, utilizing local media and other local resources, and conducting outreach activities. The agency may accept any gifts, grants, offers of services and other contributions to use in making special recruitment efforts.*

Sec. 12. Minnesota Statutes 1982, section 260.181, subdivision 3, is amended to read:

#### Subd. 3. [PROTECTION OF RELIGIOUS AND RACIAL OR ETHNIC

*HERITAGE, OR RELIGIOUS AFFILIATION.] The policy of the state is to ensure that the best interests of children are met by requiring due consideration of the child's minority race or minority ethnic heritage in foster care placements.*

The court, in transferring legal custody of any child or appointing a guardian for ~~him~~ the child under the laws relating to juvenile courts, shall place ~~him~~ so far as it deems practicable the child, in the following order of preference, in the absence of good cause to the contrary, in the legal custody or guardianship of ~~some an~~ individual holding the same religious belief and the same ethnic origin as the parents of the child, or with some association which is controlled by persons of like religious faith and ethnic origin as the ~~parents~~ who (a) is the child's relative, or if that would be detrimental to the child or a relative is not available, who (b) is of the same racial or ethnic heritage as the child, or if that is not possible, who (c) is knowledgeable and appreciative of the child's racial or ethnic heritage. The court may require the county welfare agency to continue efforts to find a guardian of ~~like religious faith or ethnic origin~~ the child's minority racial or minority ethnic heritage when such a guardian is not immediately available.

*If the child's genetic parent or parents explicitly request that the preference described in clause (a) or in clauses (a) and (b) not be followed, the court shall honor that request consistent with the best interests of the child.*

*If the child's genetic parent or parents express a preference for placing the child in a foster or adoptive home of the same or a similar religious background to that of the genetic parent or parents, in following the preferences in clause (a) or (b), the court shall order placement of the child with an individual who meets the genetic parent's religious preference. Only if no individual is available who is described in clause (a) or (b) may the court give preference to an individual described in clause (c) who meets the parent's religious preference.*

Sec. 13. Minnesota Statutes 1982, section 260.191, subdivision 1, is amended to read:

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

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

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

(1) A child placing agency; or

(2) The county welfare board;

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

*Subd. 1a. [WRITTEN FINDINGS.] Any order for a disposition authorized*



under this section shall contain written findings of fact to support the disposition ordered, and shall also set forth in writing the following information:

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

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

*(c) In the case of a child of minority racial or minority ethnic heritage, how the court's disposition complies with the requirements of section 260.181, subdivision 3.*

Sec. 14. Minnesota Statutes 1982, section 260.192, is amended to read:

260.192 [DISPOSITIONS; VOLUNTARY FOSTER CARE PLACEMENTS.]

Upon a petition for review of the foster care status of a child, the court may:

(a) Find that the child's needs are being met and that the child's placement in foster care is in the best interests of the child, in which case the court shall approve the voluntary arrangement. The court shall order the social service agency responsible for the placement to bring a petition pursuant to either section 260.131, subdivision 1 or section 260.131, subdivision 1a, as appropriate, within two years if court review was pursuant to section 257.071, subdivision 3 or ~~subdivision 4~~, or within one year if court review was pursuant to section 257.071, subdivision 2.

(b) Find that the child's needs are not being met, in which case the court shall order the social service agency or the parents to take whatever action is necessary and feasible to meet the child's needs, including, when appropriate, the provision by the social service agency of services to the parents which would enable the child to live at home, and shall order *an administrative review of the case to be reviewed* again within *six months and a review by the court within one year*.

(c) Find that the child has been abandoned by his parents financially or emotionally, or that the developmentally disabled child does not require out-of-home care because of the handicapping condition, in which case the court shall order the social service agency to file an appropriate petition pursuant to sections 260.131, subdivision 1, or 260.231.

*Nothing in this section shall be construed to prohibit bringing a petition pursuant to section 260.131, subdivision 1 or 2, sooner than required by court order pursuant to this section.*

Sec. 15. Minnesota Statutes 1982, section 260.242, is amended by adding a subdivision to read:

*Subd. 1a. [PROTECTION OF HERITAGE OR BACKGROUND.] In ordering guardianship and transferring legal custody of the child to an individual under this section, the court shall comply with the provisions of section 260.181, subdivision 3.*

Sec. 16. [ADVISORY TASK FORCE.]

*The commissioner of public welfare shall establish a foster care and adop-*

*tion advisory task force to advise the commissioner on foster care and adoption policy regarding children of minority racial or minority ethnic heritage. Task force members shall serve on a voluntary basis. The task force shall expire on June 30, 1985.*

Sec. 17. [257.80] [RULEMAKING.]

*The commissioner of public welfare shall promulgate rules to implement the provisions of sections 1 to 9 and 11 and to coordinate foster care and adoption services in order to facilitate referral of children from foster care into adoptive placement where eventual return of the child to the child's genetic parent or parents is unlikely or would be detrimental to the child."*

Amend the title as follows:

Page 1, line 8, after the first semicolon, insert "259.27, subdivisions 1 and 2;"

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

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

H.F. No. 236 for comparison with companion Senate File, reports the following House File was found not identical with its companion Senate File as follows:

GENERAL ORDERS		CONSENT CALENDAR		CALENDAR	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F.No.	S.F.No.
		236	468		

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H.F. No. 236 be amended as follows:

Page 1, line 11, strike "such" and insert "a"

Page 1, line 11, strike "and" and insert a period

Page 1, line 12, strike "shall be" and insert "is"

Page 1, line 12, strike the semicolon

Page 1, line 13, strike "provided, however, that" and insert a period

Page 1, line 13, strike "shall" and insert "do"

Amend the title as follows:

Page 1, line 3, delete "certain graduate programs" and insert "the graduate school of the Mayo Foundation"

And when so amended H.F. No. 236 will be identical to S.F. No. 468, and further recommends that H.F. No. 236 be given its second reading and substituted for S.F. No. 468, and that the Senate File be indefinitely postponed.

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

**SECOND READING OF SENATE BILLS**

S.F. Nos. 427, 416, 530, 472, 150, 280, 92, 403, 630, 276, 673 and 699 were read the second time.

**SECOND READING OF HOUSE BILLS**

H.F. Nos. 298 and 236 were read the second time.

**MOTIONS AND RESOLUTIONS**

Mr. Knaak moved that his name be stricken as a co-author to S.F. No. 650. The motion prevailed.

Mr. Bertram moved that the name of Mr. Wegscheid be added as a co-author to S.F. No. 755. The motion prevailed.

Mr. Peterson, R.W. moved that the name of Mr. Merriam be added as a co-author to S.F. No. 806. The motion prevailed.

Mr. Purfeerst moved that his name be stricken as a co-author to S.F. No. 829. The motion prevailed.

Mr. Mehrkens moved that his be name stricken as a co-author to S.F. No. 829. The motion prevailed.

Mr. DeCramer moved that the name of Mr. Lessard be added as a co-author to S.F. No. 843. The motion prevailed.

Mr. Merriam moved that the name of Mr. Jude be added as a co-author to S.F. No. 846. The motion prevailed.

Ms. Olson moved that the names of Messrs. Jude and Ramstad be added as co-authors to S.F. No. 875. The motion prevailed.

Ms. Peterson, D.C. moved that the name of Mr. Dicklich be added as a co-author to S.F. No. 876. The motion prevailed.

Mr. Novak moved that the name of Mr. Wegscheid be added as a co-author to S.F. No. 883. The motion prevailed.

Mr. DeCramer moved that the names of Messrs. Johnson, D.J. and Diessner be added as co-authors to S.F. No. 887. The motion prevailed.

Mr. Taylor moved that the name of Mr. Benson be added as a co-author to S.F. No. 890. The motion prevailed.

Mr. Moe, R.D. introduced—

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

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

1. Upon its adjournment on Wednesday, March 30, 1983, the Senate may set its next day of meeting for Monday, April 4, 1983.

2. Upon its adjournment on Wednesday, March 30, 1983, the House of Representatives may set its next day of meeting for Monday, April 4, 1983.

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

Mr. Moe, R.D. moved the adoption of the foregoing resolution. The motion prevailed. So the resolution was adopted.

### CALENDAR

S.F. No. 164: A bill for an act relating to state government; removing the requirement of senate confirmation for appointment to certain state agencies; limiting terms of certain holdover appointees; requiring senate confirmation of commissioner appointees within a certain time period; formulating a procedure for senate and house confirmations; changing a time requirement for filing a statement of economic interest in certain cases; amending Minnesota Statutes 1982, sections 1.33; 3.9223, subdivision 1; 10A.09, subdivisions 1 and 3; 14.48; 15.0575, subdivision 2; 15.0597, subdivision 6; 15.06, subdivisions 2 and 5; 15.50, subdivision 1; 40.03, subdivision 1; 85A.01, subdivision 1; 105.401, subdivision 1; 115A.05, subdivision 2; 116E.02, subdivision 1; 116J.04; 121.82, subdivision 1; 121.844, subdivision 1; 182.664, subdivision 1; 250.05, subdivision 2; 299B.05, subdivision 1; 414.01, subdivision 2; 473.123, subdivision 4; 473.141, subdivision 3; 490.15, subdivision 1; proposing new law coded in Minnesota Statutes, chapter 15; repealing Minnesota Statutes 1982, section 11A.07, subdivision 3.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 36 and nays 27, as follows:

Those who voted in the affirmative were:

Adkins	Dieterich	Merriam	Petty	Stumpf
Berglin	Frank	Moe, D. M.	Pogemiller	Vega
Chmielewski	Freeman	Moe, R. D.	Purfeerst	Waldorf
Dahl	Hughes	Nelson	Reichgott	Wegscheid
Davis	Kroening	Novak	Samuelson	
DeCramer	Lantry	Peterson, C.C.	Schmitz	
Dicklich	Lessard	Peterson, D.C.	Solon	
Diessner	Luther	Peterson, R.W.	Spear	

Those who voted in the negative were:

Anderson	Brataas	Knutson	Pehler	Taylor
Belanger	Frederickson	Kronebusch	Peterson, D.L.	Ulland
Benson	Isackson	Laidig	Ramstad	Willit
Berg	Johnson, D.E.	McQuaid	Renneke	
Bernhagen	Kamrath	Mehrkens	Sieloff	
Bertram	Knaak	Olson	Storm	

So the bill passed and its title was agreed to.

H.F. No. 79: A bill for an act relating to juveniles; requiring orders of reference for prosecution for juveniles who have been previously referred; amending Minnesota Statutes 1982, section 260.125, subdivision 2, and by adding a subdivision.

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

The question was taken on the passage of the bill.

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

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

S.F. No. 201: A bill for an act relating to intoxicating liquor; authorizing off-sale licensees to dispense samples of wine, liqueurs and cordials; amending Minnesota Statutes 1982, section 340.11, subdivision 15.

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 46 and nays 16, as follows:

Those who voted in the affirmative were:

Anderson	Dieterich	Luther	Peterson, R.W.	Stumpf
Belanger	Frederickson	Mehrkins	Petty	Ulland
Berg	Freeman	Merriam	Pogemiller	Vega
Berglin	Hughes	Moe, D. M.	Purfeerst	Waldorf
Bertram	Isackson	Moe, R. D.	Reichgott	Wegscheid
Brataas	Johnson, D.E.	Nelson	Samuelson	Willet
Dahl	Kroening	Novak	Sieloff	
DeCramer	Kronebusch	Pehler	Solon	
Dicklich	Lantry	Peterson, D.C.	Spear	
Diessner	Lessard	Peterson, D.L.	Storm	

Those who voted in the negative were:

Adkins	Davis	Knutson	Olson	Renneke
Benson	Kamrath	Laidig	Peterson, C.C.	Schmitz
Bernhagen	Knaak	McQuaid	Ramstad	Taylor
Chmielewski				

So the bill passed and its title was agreed to.

### CONSENT CALENDAR

S.F. No. 552: A bill for an act relating to corrections; clarifying the duties of the clerk of court with respect to preparation of necessary commitment papers when a person is sentenced for a felony or gross misdemeanor to the custody of the commissioner of corrections or to the superintendent of a work house or work farm; amending Minnesota Statutes 1982, section 243.49.

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

The question was taken on the passage of the bill.

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

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

H.F. No. 252: A bill for an act relating to occupations and professions; regulating the practice of dentistry; amending Minnesota Statutes 1982, sections 150A.05, subdivision 2; and 150A.11, subdivision 1.

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

The question was taken on the passage of the bill.

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

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

S.F. No. 589: A bill for an act relating to labor; deleting an exclusion from protection for prompt payment of wages; amending Minnesota Statutes 1982, section 181.16.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 64 and nays 0, as follows:

Those who voted in the affirmative were:

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

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. No. 278, which the committee recommends to pass.

S.F. No. 214, which the committee reports progress, subject to the following motions:

Mr. Frank moved to amend S.F. No. 214 as follows:

Page 1, line 27, after the period, insert *"A penalty of \$25 shall be assessed the driver of a motor vehicle if the driver or a passenger under the age of 18 years is not wearing a seat belt as required by this subdivision. A penalty of \$25 shall be assessed a passenger over the age of 18 years riding in a motor vehicle if that passenger is not wearing a seat belt as required by this subdivision."*

The motion prevailed. So the amendment was adopted.

Mr. Kroening moved to amend S.F. No. 214 as follows:

Page 1, delete section 1

Page 1, line 25, delete everything after the period

Page 1, delete line 26

Page 1, line 27, delete everything before the period and insert *"The driver of a motor vehicle driven or ridden in violation of this subdivision shall be given a hazard warning as to the possible danger due to failure to use a seat belt"*

Page 2, line 1, after the period, insert *"A violation of this subdivision involves the operation of a motor vehicle and shall be reported to the department of public safety."*

Page 2, after line 25, insert:

*"Sec. 3. Minnesota Statutes 1982, section 169.685, is amended by adding a subdivision to read:*

*Subd. 3c. [REPEALER.] This subdivision and subdivisions 3a and 3b are*

*repealed July 1, 1986."*

Page 2, line 33, delete everything after the period

Page 2, delete lines 34 to 36

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 3, delete everything after the semicolon

Page 1, delete lines 4 and 5

Page 1, line 6, delete "reduced;"

Page 1, line 7, delete everything after the first comma and insert "section"

The motion prevailed. So the amendment was adopted.

The question was taken on the recommendation to pass S.F. No. 214.

The roll was called, and there were yeas 25 and nays 39, as follows:

Those who voted in the affirmative were:

Brataas	Dieterich	Laidig	Novak	Pogemiller
Davis	Hughes	Lantry	Pehler	Solon
DeCramer	Johnson, D.J.	Luther	Peterson, D.C.	Spear
Dicklich	Knaak	Merriam	Peterson, R.W.	Vega
Diessner	Kroening	Nelson	Petty	Waldorf

Those who voted in the negative were:

Adkins	Chmielewski	Knutson	Peterson, C.C.	Sieloff
Anderson	Dahl	Kronebusch	Peterson, D.L.	Storm
Belanger	Frank	Lessard	Purfeerst	Stumpf
Benson	Frederickson	McQuaid	Ramstad	Taylor
Berg	Freeman	Mehrkens	Reichgott	Ulland
Berglin	Isackson	Moe, D. M.	Renneke	Wegscheid
Bernhagen	Johnson, D.E.	Moe, R. D.	Samuelson	Willet
Bertram	Kamrath	Olson	Schmitz	

The motion did not prevail. S.F. No. 214 was then progressed.

S.F. No. 240, which the committee recommends to pass with the following amendment offered by Ms. Reichgott:

Page 3, after line 3, insert:

*"A peace officer is not liable under section 609.43, clause (1), for a failure to perform a duty required by clause (b) of this subdivision."*

The motion prevailed. So the amendment was adopted.

Mr. Sieloff moved to amend S.F. No. 240 as follows:

Page 2, line 22, delete "shall" and insert "may"

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 12 and nays 44, as follows:

Those who voted in the affirmative were:

Benson	Chmielewski	Kamrath	Lessard	Sieloff
Bernhagen	Dieterich	Kroening	Schmitz	Waldorf
Bertram	Isackson			

Those who voted in the negative were:



Adkins	Frank	Langseth	Pehler	Samuelson
Anderson	Freeman	Lantry	Peterson, C. C.	Spear
Belanger	Hughes	Luther	Peterson, D. C.	Storm
Berglin	Johnson, D. E.	McQuaid	Peterson, D. L.	Taylor
Dahl	Johnson, D. J.	Mehrkens	Peterson, R. W.	Ulland
Davis	Knaak	Merriam	Petty	Vega
DeCramer	Knutson	Moe, R. D.	Pogemiller	Wegscheid
Dicklich	Kronebusch	Nelson	Ramstad	Willet
Diessner	Laidig	Novak	Reichgott	

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

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

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

### MOTIONS AND RESOLUTIONS

Mr. Spear moved that S.F. No. 723 be withdrawn from the Committee on Judiciary, given its second reading, and placed on General Orders. The motion prevailed.

S.F. No. 723 was read the second time.

### INTRODUCTION AND FIRST READING OF SENATE BILLS

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

Messrs. Taylor, Ulland, Dahl, Pehler and Lessard introduced—

S.F. No. 903: A bill for an act relating to elections; requiring the secretary of state to include a fiscal impact statement on the ballot for a proposed constitutional amendment; amending Minnesota Statutes 1982, section 204D.15, subdivision 1.

Referred to the Committee on Elections and Ethics.

Messrs. Freeman, Berg, Bernhagen and Stumpf introduced—

S.F. No. 904: A bill for an act relating to transportation; establishing collective rate-making procedure for motor vehicle carriers; amending Minnesota Statutes 1982, section 221.041, by adding a subdivision.

Referred to the Committee on Transportation.

Ms. Berglin, Messrs. Moe, D.M.; Wegscheid; Benson and Frederickson introduced—

S.F. No. 905: A bill for an act relating to federal block grants; providing for annual legislative hearings on federal block grant implementation and effects; proposing new law coded in Minnesota Statutes, chapter 3.

Referred to the Committee on Governmental Operations.

Messrs. Vega, Kroening and Solon introduced—

S.F. No. 906: A bill for an act relating to economic development; creating a preference for Minnesota residents in the awarding of public contracts; creating a preference for Minnesota labor and materials; amending Minnesota Statutes 1982, section 16.073; proposing new law coded in Minnesota Statutes, chapter 16.

Referred to the Committee on Economic Development and Commerce.

Messrs. DeCramer, Stumpf, Frederickson and Davis introduced—

S.F. No. 907: A bill for an act relating to natural resources; requiring that a specified percentage of the wildlife acquisition fund and the game and fish fund be used for development or leasing; amending Minnesota Statutes 1982, sections 97.483; and 97.49, subdivision 1.

Referred to the Committee on Agriculture and Natural Resources.

Ms. Berglin introduced—

S.F. No. 908: A bill for an act relating to the housing finance agency; proposing an innovative housing loan program; appropriating money; amending Minnesota Statutes 1982, sections 462A.05, by adding a subdivision; and 462A.21, by adding a subdivision.

Referred to the Committee on Energy and Housing.

Mr. Solon introduced—

S.F. No. 909: A bill for an act relating to the environment; protecting communities from toxic substances and harmful physical agents; requiring information to be given to local fire departments; providing a penalty; proposing new law coded in Minnesota Statutes, chapter 116.

Referred to the Committee on Health and Human Services.

Mr. Samuelson introduced—

S.F. No. 910: A bill for an act relating to local government; regulating township levies in Crow Wing County; repealing Laws 1941, chapter 451.

Referred to the Committee on Local and Urban Government.

Messrs. Frank, Jude and Peterson, D.L. introduced—

S.F. No. 911: A bill for an act relating to utilities; specifying the commission's authority over the availability of submetering; proposing new law coded in Minnesota Statutes, chapter 216B.

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

Messrs. Luther, Willet, Ms. Peterson, D.C.; Messrs. Merriam and Ramstad introduced—

S.F. No. 912: A bill for an act relating to outdoor recreation; requiring licensing of cross country skiers; creating a cross country ski trail grant-in-

aid program; imposing a penalty; appropriating money for recreational purposes; proposing new law coded in Minnesota Statutes, chapter 85.

Referred to the Committee on Agriculture and Natural Resources.

Mr. Laidig introduced—

S.F. No. 913: A bill for an act relating to Washington County; authorizing the county to finance sewage disposal systems on behalf of cities and towns in the county by the issuance of county general obligation bonds.

Referred to the Committee on Local and Urban Government.

Messrs. Bertram, Lessard, Schmitz, Storm and Berg introduced—

S.F. No. 914: A bill for an act relating to commerce; removing the statutory dollar limitations on bingo prizes; repealing Minnesota Statutes 1982, section 349.17, subdivision 4.

Referred to the Committee on Veterans and General Legislation.

Messrs. Wegscheid and Jude introduced—

S.F. No. 915: A bill for an act relating to public safety; providing that the capitol complex security division of the department of public safety shall be responsible for the detection of crime in the capitol complex; providing benefits to survivors of security guards or guard supervisors employed by the capitol complex security division who are killed in the line of duty; exempting employees of the capitol complex security division from uniform color requirements; amending Minnesota Statutes 1982, sections 299E.01, subdivision 2; 352E.01, subdivision 2; and 626.88, subdivision 1; repealing Minnesota Statutes 1982, section 626.88, subdivision 3.

Referred to the Committee on Veterans and General Legislation.

Mr. Davis introduced—

S.F. No. 916: A bill for an act relating to Mille Lacs county; permitting the sale of certain tax forfeited land.

Referred to the Committee on Agriculture and Natural Resources.

Messrs. Belanger and Freeman introduced—

S.F. No. 917: A bill for an act relating to the city of Bloomington; permitting the establishment of special service districts; providing taxing and other financial authority for Bloomington.

Referred to the Committee on Local and Urban Government.

Mr. Diessner, Ms. Berglin, Messrs. Kroening, Willet and Ms. Reichgott introduced—

S.F. No. 918: A bill for an act relating to public welfare, clarifying provisions dealing with the medical assistance drug formulary; amending Minnesota Statutes 1982, section 256B.02, subdivision 8.

Referred to the Committee on Health and Human Services.

Messrs. Vega; Moe, R.D.; Hughes and Schmitz introduced—

S.F. No. 919: A bill for an act relating to the legislature; enacting the present legislative apportionment into statutory form with minor alterations; amending Minnesota Statutes 1982, sections 2.021; 2.031; proposing new law coded in Minnesota Statutes, chapter 2; and repealing Minnesota Statutes 1982, sections 2.041 to 2.712.

Referred to the Committee on Elections and Ethics.

Messrs. Petty; Moe, R.D.; Lessard; Sieloff and Freeman introduced—

S.F. No. 920: A bill for an act relating to metropolitan government; regulating airport development; amending Minnesota Statutes 1982, section 473.611, subdivision 5.

Referred to the Committee on Transportation. Mr. Schmitz questioned the reference thereon and, under Rule 35, the bill was referred to the Committee on Rules and Administration.

Mr. Petty introduced—

S.F. No. 921: A bill for an act relating to metropolitan government; regulating the organization, duties, and powers of the metropolitan mosquito control district and commission; amending Minnesota Statutes 1982, sections 473.702; 473.703, subdivision 9; 473.704, subdivision 13; 473.711, subdivision 2; proposing new law coded in Minnesota Statutes, chapter 473.

Referred to the Committee on Local and Urban Government.

Messrs. Wegscheid, DeCramer, Berg, Laidig and Willet introduced—

S.F. No. 922: A bill for an act relating to natural resources; authorizing the commissioner to sell to or exchange surplus tree planting stock with other states and the federal government under certain circumstances; amending Minnesota Statutes 1982, section 89.36, by adding a subdivision.

Referred to the Committee on Agriculture and Natural Resources.

Mr. Wegscheid, Mrs. Adkins, Messrs. Hughes, Schmitz and Ms. Olson introduced—

S.F. No. 923: A bill for an act relating to libraries; consolidating provisions for county libraries and city libraries; defining misuse of library materials; prescribing a penalty; restricting tort liability for public libraries; correcting internal references; amending Minnesota Statutes 1982, sections 134.07; 134.08; 134.09; 134.10; 134.11; 134.12; 134.13; 134.14; 134.15; 134.30; 134.32, subdivisions 1 and 7; 134.351, subdivisions 3 and 7; 134.353; 134.36; 375.335; 466.01, subdivision 1; 648.39, subdivision 1; proposing new law coded in Minnesota Statutes, chapter 134; repealing Minnesota Statutes 1982, sections 134.03; 134.06; 134.16; 134.19; 134.352; and 375.33.

Referred to the Committee on Education.

Ms. Reichgott, Messrs. Luther and Knaak introduced—

S.F. No. 924: A bill for an act relating to marriage dissolution; allowing separate summary judgment on the issue of dissolution; removing a conclusive presumption that each spouse made substantial contribution to acquiring certain property; excluding mediators' information except on consent of the parties; providing for deposing of investigators; amending Minnesota Statutes 1982, sections 518.13, by adding a subdivision; 518.167; and 518.58.

Referred to the Committee on Judiciary.

Mr. Nelson introduced—

S.F. No. 925: A bill for an act relating to commerce; providing an employee lien for accrued vacation and holiday pay; amending Minnesota Statutes 1982, section 514.59.

Referred to the Committee on Judiciary.

Messrs. Jude, Frank, Sieloff, Knaak and Waldorf introduced—

S.F. No. 926: A bill for an act relating to public utilities; providing for additional investment authority of bond proceeds; amending Minnesota Statutes 1982, section 216B.49, by adding a subdivision.

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

Messrs. Solon and Ulland introduced—

S.F. No. 927: A bill for an act relating to Independent School District No. 709; providing for withdrawal of clerical workers from civil service; amending Laws 1967, chapter 252, section 2, as amended.

Referred to the Committee on Employment.

Mr. Berg introduced—

S.F. No. 928: A bill for an act relating to education; authorizing a school district to enter into agreements with one or more school districts providing for education of secondary pupils and related matters in exchange for payment of tuition to providing districts; amending Minnesota Statutes 1982, sections 122.41; 122.43; and 122.44; proposing new law coded in Minnesota Statutes, chapter 122.

Referred to the Committee on Education.

Mr. Berg introduced—

S.F. No. 929: A bill for an act relating to state lands; authorizing the sale of a certain lakeshore lot in Douglas County.

Referred to the Committee on Agriculture and Natural Resources.

Mr. Belanger introduced—

S.F. No. 930: A bill for an act relating to the city of Bloomington; adjusting the city's property tax levy limitation.

Referred to the Committee on Taxes and Tax Laws.

Mr. Belanger introduced—

S.F. No. 931: A bill for an act relating to education; providing for the distribution of the proceeds from rentals of school buildings; amending Minnesota Statutes 1982, section 123.36, subdivision 10.

Referred to the Committee on Education.

Messrs. Merriam and Knutson introduced—

S.F. No. 932: A bill for an act relating to game and fish; removing the limitation on use of muzzle loading firearms to public lands only; amending Minnesota Statutes 1982, section 100.27, subdivision 2.

Referred to the Committee on Agriculture and Natural Resources.

Messrs. Sieloﬀ; Knaak; Peterson, R.W.; Ms. Reichgott and Mr. Jude introduced—

S.F. No. 933: A bill for an act relating to real estate; providing for notices to cancel contracts for deed; amending Minnesota Statutes 1982, section 559.21, by adding a subdivision.

Referred to the Committee on Judiciary.

Mr. Luther and Ms. Peterson, D.C. introduced—

S.F. No. 934: A bill for an act relating to elections; authorizing the use of electronic voting systems for absentee voting under certain circumstances; authorizing the secretary of state to promulgate rules; amending Minnesota Statutes 1982, sections 203B.08, by adding subdivisions; 203B.11; and 203B.12, subdivision 5; proposing new law coded in Minnesota Statutes, chapter 203B.

Referred to the Committee on Elections and Ethics.

Mr. Pehler introduced—

S.F. No. 935: A bill for an act relating to retirement; St. Cloud firefighters; refund of contributions and membership requirement; amending Laws 1961, chapter 343, section 19; and Laws 1974, chapter 382, section 3, subdivision 1.

Referred to the Committee on Governmental Operations.

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

S.F. No. 936: A bill for an act relating to retirement; the Minneapolis police relief association; board membership; sources and uses of funds; member contributions; amending Laws 1949, Chapter 406, Sections 1,

Subdivision 1, as amended; 3, as amended; 4, Subdivisions 2 and 3, as amended; 5, Subdivisions 1, 3, and 5, as amended; and 6, Subdivision 3, as amended; Laws 1953, Chapter 127, Sections 1, Subdivisions 1, as amended, and 4, and by adding a subdivision; and Laws 1965, Chapter 493, Section 5; and Minnesota Statutes 1982, section 423A.01, subdivision 2.

Referred to the Committee on Governmental Operations.

Mr. Nelson introduced—

S.F. No. 937: A bill for an act relating to education; requiring the development of proposals for new admission requirements in all public systems of higher education.

Referred to the Committee on Education.

Messrs. Stumpf; Purfeerst; Moe, R.D.; Bernhagen and Willet introduced—

S.F. No. 938: A bill for an act relating to transportation; transferring certain rules to the transportation regulation board; providing that certain fees and fine money be credited to the trunk highway fund; modifying certain laws relating to the regulation of building movers; prescribing penalties; amending Minnesota Statutes 1982, sections 174A.02, subdivision 2; 174A.06; 221.061; 221.071; 221.131; 221.296, subdivision 5; 221.64; 221.81; proposing new law coded in Minnesota Statutes, chapter 221; repealing Minnesota Statutes 1982, section 160.26, subdivision 3.

Referred to the Committee on Transportation.

Messrs. Kamrath, Renneke and Chmielewski introduced—

S.F. No. 939: A resolution memorializing the President and the Congress of the United States to repeal the Federal Reserve Act.

Referred to the Committee on Economic Development and Commerce.

Ms. Peterson, D.C. introduced—

S.F. No. 940: A bill for an act relating to crimes; increasing the penalty for assault in the fourth degree; amending Minnesota Statutes 1982, section 609.224.

Referred to the Committee on Judiciary.

Mrs. Kronebusch, Messrs. Kamrath and Benson introduced—

S.F. No. 941: A bill for an act relating to taxation; sales and use tax; providing an exemption for wrapping paper purchased for custom meat processing; amending Minnesota Statutes 1982, section 297A.25, subdivision 1.

Referred to the Committee on Taxes and Tax Laws.

Mr. Nelson introduced—

S.F. No. 942: A bill for an act relating to education; requiring the higher

education coordinating board to study and report on teacher education programs; requesting higher education governing boards and institutions to cooperate in the study.

Referred to the Committee on Education.

Mr. Nelson introduced—

S.F. No. 943: A bill for an act relating to state employees; amending the unit composition schedule adopted by the legislative commission on employee relations.

Referred to the Committee on Governmental Operations.

Mr. Nelson introduced—

S.F. No. 944: A bill for an act relating to education; establishing the basis upon which financial stipends for scholarships and grants-in-aid are determined; amending Minnesota Statutes 1982, section 136A.121.

Referred to the Committee on Education.

Messrs. Purfeerst, Solon and Novak introduced—

S.F. No. 945: A bill for an act relating to non-intoxicating malt liquor and intoxicating malt liquor; requiring sales at wholesale to be made within areas designated in agreements between suppliers or brewers and wholesalers; prohibiting refusal to sell or give service to licensed retailers within designated areas; requiring filing of area agreements and brand approvals with the department of public safety; prohibiting resale price maintenance; amending Minnesota Statutes 1982, section 340.406.

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

Mrs. Lantry introduced—

S.F. No. 946: A bill for an act relating to Ramsey County; providing for a purchase preference for American made materials; proposing new law coded in Minnesota Statutes, chapter 383A.

Referred to the Committee on Governmental Operations.

Mrs. Lantry introduced—

S.F. No. 947: A bill for an act relating to Ramsey County; reinstating a provision relating to mandatory retirement age for military veterans; amending Minnesota Statutes 1982, section 383A.30.

Referred to the Committee on Governmental Operations.

Mr. Schmitz, Mrs. Adkins, Messrs. Luther, Waldorf and Wegscheid introduced—

S.F. No. 948: A bill for an act relating to metropolitan government; providing for the term of the chairman of the metropolitan airports commission;



amending Minnesota Statutes 1982, section 473.604, subdivision 1.

Referred to the Committee on Transportation.

Messrs. Schmitz, DeCramer, Davis and Renneke introduced—

S.F. No. 949: A bill for an act relating to agriculture; appropriating money for the Minnesota Corn Growers Association; providing for repayment to the state.

Referred to the Committee on Agriculture and Natural Resources.

Mr. Davis introduced—

S.F. No. 950: A bill for an act relating to agriculture; requiring pseudorabies testing; proposing new law coded in Minnesota Statutes 1982, chapter 35.

Referred to the Committee on Agriculture and Natural Resources.

Messrs. Pehler, Merriam, Willet, Mrs. McQuaid and Mr. Johnson, D.J. introduced—

S.F. No. 951: A bill for an act relating to public employees; authorizing a dues check off for members of the Public Employees Pension Service Association; amending Minnesota Statutes 1982, section 179.65, subdivision 5.

Referred to the Committee on Governmental Operations.

Mr. Chmielewski introduced—

S.F. No. 952: A bill for an act relating to occupations and professions; regulating the period of time between professional boxing contests, matches, or exhibitions; amending Minnesota Statutes 1982, section 341.115.

Referred to the Committee on Economic Development and Commerce.

Messrs. Renneke, Schmitz, Laidig and Storm introduced—

S.F. No. 953: A bill for an act relating to metropolitan government; providing procedures for solid waste disposal site selection; amending Minnesota Statutes 1982, section 473.833, subdivision 3.

Referred to the Committee on Agriculture and Natural Resources.

Messrs. Sieloff and Jude introduced—

S.F. No. 954: A bill for an act relating to commerce; mechanics' liens; providing notice requirements for certain contractors; increasing the time periods relating to an owner's obligation to pay a contractor and the duration of the lien; amending Minnesota Statutes 1982, sections 514.011, subdivisions 1 and 2; 514.07; and 514.08, subdivision 1.

Referred to the Committee on Judiciary.

Ms. Berglin introduced—

S.F. No. 955: A bill for an act relating to public welfare; providing for relative resource contribution for medical assistance; amending Minnesota Statutes 1982, section 256B.14, subdivision 2.

Referred to the Committee on Health and Human Services.

Mr. Davis introduced—

S.F. No. 956: A bill for an act proposing an amendment to the Minnesota Constitution, article IV, section 2, to set the number of members of the senate and house of representatives at four senators and eight representatives times the number of congressional districts.

Referred to the Committee on Elections and Ethics.

Mr. Dicklich introduced—

S.F. No. 957: A bill for an act relating to traffic regulations; providing for "Watch for Children" signs to be made available to local governing bodies under certain conditions; appropriating money; amending Minnesota Statutes 1982, section 169.06, by adding a subdivision.

Referred to the Committee on Transportation.

Mr. Dicklich introduced—

S.F. No. 958: A bill for an act relating to public welfare; abolishing funding priorities for a certain grant program related to facilities for adult mentally ill persons; amending Minnesota Statutes 1982, section 245.73, subdivision 2.

Referred to the Committee on Health and Human Services.

Mr. Dicklich introduced—

S.F. No. 959: A bill for an act relating to unemployment compensation; redefining a claimant's base period in certain circumstances; amending Minnesota Statutes 1982, section 268.04, subdivision 2.

Referred to the Committee on Employment.

Mr. Peterson, D.L. introduced—

S.F. No. 960: A bill for an act relating to waters; authorizing the Martin County board to change the name of a certain lake.

Referred to the Committee on Agriculture and Natural Resources.

Messrs. Mehrkens, DeCramer, Wegscheid, Benson and Bertram introduced—

S.F. No. 961: A bill for an act relating to agriculture; providing income tax incentives to landowners who sell or lease agricultural land to eligible beginning farmers; amending Minnesota Statutes 1982, section 290.01, subdivisions 20a, as amended, and 20b, as amended; proposing new law coded in Minnesota Statutes, chapter 290.

Referred to the Committee on Agriculture and Natural Resources.

Messrs. Waldorf, Ulland, DeCramer and Pehler introduced—

S.F. No. 962: A bill for an act relating to education; providing for Indian scholarships; amending Minnesota Statutes 1982, section 124.48.

Referred to the Committee on Education.

Messrs. Luther and Dieterich introduced—

S.F. No. 963: A bill for an act relating to intoxicating liquor; authorizing Hennepin County to issue short-term liquor licenses.

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

Mr. Petty introduced—

S.F. No. 964: A bill for an act relating to corporations; providing for the determination of eligibility for the indemnification of certain persons; prohibiting the use of corporate information obtained improperly; authorizing the use of protective orders and other relief to prevent the premature disclosure of certain confidential information or the use of corporate information obtained improperly; amending Minnesota Statutes 1982, sections 300.083, subdivision 6; 302A.461, subdivisions 4, 6, and by adding a subdivision; and 302A.521, subdivision 6.

Referred to the Committee on Judiciary.

Mr. Chmielewski introduced—

S.F. No. 965: A bill for an act relating to taxation; exempting certain closed-circuit and television revenue from the boxing tax; amending Minnesota Statutes 1982, section 270.051, subdivision 2.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Luther and Freeman introduced—

S.F. No. 966: A bill for an act relating to mediation; providing for mediation of disputes; amending Minnesota Statutes 1982, section 595.02; proposing new law coded in Minnesota Statutes, chapter 572.

Referred to the Committee on Judiciary.

Messrs. Peterson, C.C.; Stumpf; Davis; DeCramer and Bernhagen introduced—

S.F. No. 967: A bill for an act relating to real property; requiring 60 days notice of default on a farm real estate mortgage, notice of termination of a farm real estate contract for deed, and notice of commencement of a sale and foreclosure proceeding; providing that a mortgage on farm real estate is reinstated during the redemption period upon payment of installments in default and due during the period of redemption; amending Minnesota Statutes 1982, sections 47.20, subdivision 8; 550.18; 559.21, subdivisions 1,

1a, and 2; 580.09; 580.23, subdivision 1; 580.30; and 581.10.

Referred to the Committee on Agriculture and Natural Resources.

Mr. Peterson, C.C. introduced—

S.F. No. 968: A bill for an act relating to taxation; providing an income tax credit for persons who are mentally retarded; amending Minnesota Statutes 1982, section 290.06, subdivision 3f.

Referred to the Committee on Taxes and Tax Laws.

Mr. Solon introduced—

S.F. No. 969: A bill for an act relating to social and charitable organizations; including planning and developing costs as fundraising costs; amending Minnesota Statutes 1982, section 309.50, subdivision 12.

Referred to the Committee on Economic Development and Commerce.

Mr. Wegscheid introduced—

S.F. No. 970: A bill for an act relating to liquor; authorizing the city of Farmington to issue a club on-sale license to an Eagles Club.

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

Messrs. Dieterich, Purfeerst and Spear introduced—

S.F. No. 971: A bill for an act relating to fuel assistance programs; providing payment plans for certain natural gas customers; providing protection from disconnection; proposing new law coded in Minnesota Statutes, chapter 268.

Referred to the Committee on Energy and Housing.

Mr. Johnson, D.J. introduced—

S.F. No. 972: A bill for an act relating to natural resources; authorizing the commissioner of natural resources to sell certain lands in St. Louis County; appropriating money.

Referred to the Committee on Agriculture and Natural Resources.

Messrs. Dicklich; Johnson, D.J. and Stumpf introduced—

S.F. No. 973: A bill for an act relating to homesteads; creating an extended forbearance loan guarantee program; authorizing the state to guarantee loans to forestall foreclosures of mortgages and terminations of contracts for deed on certain residential and agricultural homesteads; giving certain powers and duties to the department of agriculture and the Minnesota housing finance agency; creating extended forbearance loan guarantee funds; appropriating money; proposing new law coded as Minnesota Statutes, chapter 583.

Referred to the Committee on Energy and Housing.

Messrs. Vega and Johnson, D.J. introduced—

S.F. No. 974: A bill for an act proposing an amendment to the Minnesota Constitution, article XIII, by adding a section authorizing the election of the public utilities commission.

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

Messrs. Peterson, D.L.; Mehrkens; Langseth and Kamrath introduced—

S.F. No. 975: A bill for an act relating to education; authorizing the establishment of associated school districts; providing for transition relative to school board members and outstanding indebtedness; amending Minnesota Statutes 1982, sections 120.02, by adding a subdivision; 122.02; 122.41; 122.43, subdivision 1; 122.531; 122.532; 122.533; and 123.33, subdivision 1; 275.125, by adding a subdivision; proposing new law coded in Minnesota Statutes, chapter 123.

Referred to the Committee on Education.

Messrs. Peterson, R.W.; Sieloff; Spear and Merriam introduced—

S.F. No. 976: A bill for an act relating to statutes; providing that selected statutes shall be subject to judicial modification as is common law; proposing new law coded in Minnesota Statutes 1982, chapter 645.

Referred to the Committee on Judiciary.

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

## MOTIONS AND RESOLUTIONS

Mr. Diessner introduced—

Senate Resolution No. 37: A Senate resolution congratulating the Royals boys basketball team from Woodbury High School for winning the 1983 Class AA State High School Boys Basketball Championship.

Referred to the Committee on Rules and Administration.

## ADJOURNMENT

Mr. Moe, R.D. moved that the Senate do now adjourn until 12:00 noon, Wednesday, March 30, 1983. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate