

THIRTIETH DAY

St. Paul, Minnesota, Monday, April 4, 1983

The Senate met at 4:00 p.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. John Donahue.

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

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

The President declared a quorum present.

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

MEMBERS EXCUSED

Mr. Willet was excused from the Session of today. Mrs. McQuaid was excused from the Session of today until 4:40 p.m.

EXECUTIVE AND OFFICIAL COMMUNICATIONS

The following communications were received.

March 29, 1983

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

The Honorable Jerome M. Hughes
President of the Senate

I have the honor to inform you that the following enrolled Acts of the 1983 Session of the State Legislature have been received from the Office of the Governor and are deposited in the Office of the Secretary of State for preservation, pursuant to the State Constitution, Article IV, Section 23:

| S.F. No. | H.F. No. | Session Laws Chapter No. | Date Approved 1983 | Date Filed 1983 |
|-------------|-------------|-----------------------------|-----------------------|--------------------|
| | 215 | 14 | March 29 | March 29 |
| | 46 | Resolution No. 2 | March 29 | March 29 |

Sincerely,

Joan Anderson Growe
Secretary of State

March 30, 1983

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

The Honorable Jerome M. Hughes
President of the Senate

I have the honor to inform you that the following enrolled Act of the 1983 Session of the State Legislature has been received from the Office of the Governor and is deposited in the Office of the Secretary of State for preservation, pursuant to the State Constitution, Article IV, Section 23:

| S.F. No. | H.F. No. | Session Laws Chapter No. | Date Approved 1983 | Date Filed 1983 |
|-------------|-------------|-----------------------------|-----------------------|--------------------|
| | 201 | 15 | March 30 | March 30 |

Sincerely,

Joan Anderson Growe
Secretary of State

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. 73, 128, 269, 327 and 351.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 30, 1983

Mr. President:

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

S.F. No. 107: A bill for an act relating to agriculture; providing for regulation of apiaries; imposing penalties; proposing new law coded in Minnesota Statutes, chapter 19; repealing Minnesota Statutes 1982, sections 19.18 to 19.41.

Senate File No. 107 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 30, 1983

CONCURRENCE AND REPASSAGE

Mr. Samuelson moved that the Senate concur in the amendments by the House to S.F. No. 107 and that the bill be placed on its repassage as amended. The motion prevailed.

S.F. No. 107 was read the third time, as amended by the House, and placed on its repassage.

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

The roll was called, and there were yeas 60 and nays 3, as follows:

Those who voted in the affirmative were:

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

Messrs. Benson, Kamrath and Renneke voted in the negative.

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

MESSAGES FROM THE HOUSE - CONTINUED

Mr. President:

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

S.F. No. 50: A bill for an act relating to crimes; providing for new crimes relating to abuse of children; establishing willful and unlawful restraint as a crime; establishing malicious punishment as a crime; establishing neglect as a crime; providing penalties; amending Minnesota Statutes 1982, sections 260.315; 609.255; and 626.556, subdivision 12; proposing new law coded in Minnesota Statutes, chapter 609.

Senate File No. 50 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 30, 1983

CONCURRENCE AND REPASSAGE

Mr. Petty moved that the Senate concur in the amendments by the House to S.F. No. 50 and that the bill be placed on its repassage as amended. The

motion prevailed.

Mr. Petty moved that S.F. No. 50 be laid on the table. The motion prevailed.

MESSAGES FROM THE HOUSE - CONTINUED

Mr. President:

I have the honor to announce the passage by the House of the following House Files, herewith transmitted: H.F. Nos. 74, 132, 231, 277, 396, 114, 318, 459, 599, 149, 314, 325, 417, 441, 462, 523, 529, 530, 617, 694, 552, 597, 608, 609, 624, 638 and 653.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted March 30, 1983

FIRST READING OF HOUSE BILLS

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

H.F. No. 74: A bill for an act relating to notaries public; increasing the fees they may charge; amending Minnesota Statutes 1982, section 357.17.

Referred to the Committee on Judiciary.

H.F. No. 132: A bill for an act relating to state lands; authorizing the sale and conveyance of a certain tract of tax-forfeited land by Sherburne County.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 108, now on General Orders.

H.F. No. 231: 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, section 168.092, subdivision 1.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 276, now on General Orders.

H.F. No. 277: A bill for an act relating to the city of Virginia; authorizing increases in service pensions and survivor benefits for certain retired members and survivors of the Virginia firefighter's relief association.

Referred to the Committee on Governmental Operations.

H.F. No. 396: A bill for an act relating to retirement; authorizing benefit increases for retired Eveleth police officers, firefighters, and surviving spouses.

Referred to the Committee on Governmental Operations.

H.F. No. 114: A bill for an act relating to crimes; prohibiting promotion of minors to engage in sexual performance; prohibiting dissemination and possession of works depicting minors in sexual performance; providing penalties; amending Minnesota Statutes 1982, sections 609.342; 609.343; 609.344; 609.345; 609.364, subdivision 2; 609.3641, subdivision 2; 609.3642, subdivision 2; 609.3643, subdivision 2; 609.3644, subdivision

2; 617.241; 617.246; repealing Minnesota Statutes 1982, section 617.247.

Referred to the Committee on Judiciary.

H.F. No. 318: A bill for an act relating to local government; regulating kinds of and charges for water and sewer facilities and services; amending Minnesota Statutes 1982, section 444.075, subdivisions 1 and 3.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 219.

H.F. No. 459: A bill for an act relating to labor; providing for fair labor standards; defining "employee"; reenacting Minnesota Statutes, section 177.25, subdivision 1; amending Minnesota Statutes 1982, section 177.23, subdivision 7; amending Laws 1981, chapter 289, section 3.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 580, now on General Orders.

H.F. No. 599: A bill for an act relating to labor; regulating fair labor standards record keeping; changing the civil and criminal penalties on employers for violations of the record keeping and posting requirements of the fair labor standards act; amending Minnesota Statutes 1982, sections 177.27, subdivision 2; 177.30; 177.31; and 177.32, subdivision 1.

Referred to the Committee on Employment.

H.F. No. 149: A bill for an act relating to natural resources; clarifying the hunting of certain animals with dogs; amending Minnesota Statutes 1982, section 98.46, subdivision 2.

Referred to the Committee on Agriculture and Natural Resources.

H.F. No. 314: A bill for an act relating to insurance; requiring certain disclosures in personal sales contacts; requiring direct deposit of premiums; requiring disclosure of certain limitations on medicare supplement insurance coverage; prohibiting the sale of more than two medicare supplement insurance policies to an individual; requiring copies of medicare supplement and life insurance applications to be provided to applicants; requiring applications for medicare supplement insurance to list health and accident insurance already maintained by applicant; providing rulemaking authority; imposing civil penalties for certain violations; providing a criminal penalty; amending Minnesota Statutes 1982, sections 60A.17, subdivisions 1, 1a, and 6c, and by adding subdivisions: 62A.31, subdivision 1; 62A.39; 62A.42; proposing new law coded in Minnesota Statutes, chapters 61A and 62A.

Referred to the Committee on Economic Development and Commerce.

H.F. No. 325: 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 Min-

nesota Statutes, chapters 508 and 508A; repealing Minnesota Statutes, sections 508.41; 508.42; 508A.41; and 508A.42.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 630, now on General Orders.

H.F. No. 417: A bill for an act relating to advertising devices; authorizing produce vendors to locate a sign on farm homestead property; amending Minnesota Statutes 1982, section 173.08, subdivision 1.

Referred to the Committee on Transportation.

H.F. No. 441: A bill for an act relating to housing; increasing the maximum permissible return to certain mortgagors; increasing the maximum amount of housing finance agency rehabilitation loans; combining certain bonding categories; clarifying other housing finance agency duties and powers; modifying certain duties and powers of issuers of local housing revenue bonds; amending Minnesota Statutes 1982, sections 462A.03, subdivision 13; 462A.05, subdivisions 4, 9, 14a, 18, and by adding a subdivision; 462A.06, subdivision 8; 462A.09; 462A.21, subdivision 4b, and by adding a subdivision; 462A.22, subdivisions 1 and 5; and 462C.07, subdivision 1; repealing Minnesota Statutes 1982, section 462A.22, subdivision 1a.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 324, now on General Orders.

H.F. No. 462: A bill for an act relating to St. Louis County; limiting compensation of elected county officers.

Referred to the Committee on Local and Urban Government.

H.F. No. 523: A bill for an act relating to public utilities; defining scope of independent telephone companies accountable under chapter 237; amending Minnesota Statutes 1982, section 237.01, subdivision 3.

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

H.F. No. 529: A bill for an act relating to crimes; providing that acquittal or conviction of the crime of kidnapping does not bar conviction for any other crime committed during the time of the victim's confinement; amending Minnesota Statutes 1982, sections 609.035 and 609.25.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 528, now on General Orders.

H.F. No. 530: A bill for an act relating to crimes; providing that prosecution or acquittal of a crime in another jurisdiction is not a bar to prosecution in this state when the act or omission constitutes a crime in the other jurisdiction and this state; amending Minnesota Statutes 1982, section 609.045.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 549.

H.F. No. 617: A bill for an act relating to the pollution control agency; authorizing the collection of permit fees; clarifying the agency's enforcement authorities relating to air contamination; authorizing the use of certain federal funds; extending the authorization of the state wastewater treatment

facility construction grants program; amending Minnesota Statutes 1982, sections 116.07, subdivision 9, and by adding a subdivision; 116.16, subdivision 10; and 116.18, subdivision 1.

Referred to the Committee on Agriculture and Natural Resources.

H.F. No. 694: A bill for an act relating to Ramsey County; providing for the membership, terms, and procedures of the medical center commission; amending Minnesota Statutes 1982, section 383A.41, subdivisions 2, 3, and 4.

Referred to the Committee on Local and Urban Government.

H.F. No. 552: A bill for an act relating to elections; recodifying the municipal elections law; amending Minnesota Statutes 1982, sections 205.02; 205.07, subdivision 1; 205.10; 205.13; 205.16; 205.17; 205.20; and 205.84; proposing new law coded in Minnesota Statutes, chapter 205; repealing Minnesota Statutes 1982, sections 205.03; 205.04; 205.11; 205.14; 205.15; 205.19; and 205.21.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 560, now on General Orders.

H.F. No. 597: A bill for an act relating to retirement; adding a correctional employees plan member to the state retirement system board; consolidating and eliminating obsolete language; amending Minnesota Statutes 1982, sections 352.03, subdivision 1; and 352B.29.

Referred to the Committee on Governmental Operations.

H.F. No. 608: A bill for an act relating to insurance; accident and health; exempting administrators of self insured health plans established by collective bargaining agreement from certain regulatory provisions; amending Minnesota Statutes 1982, section 60A.23, subdivision 8.

Referred to the Committee on Economic Development and Commerce.

H.F. No. 609: A bill for an act relating to commerce; motor vehicle sales and distribution; requiring certain payments to be made upon termination of motor vehicle franchises; amending Minnesota Statutes 1982, section 80E.09, subdivision 1.

Referred to the Committee on Economic Development and Commerce.

H.F. No. 624: A bill for an act relating to retirement; highway patrol; restating the definition of average monthly salary; amending Minnesota Statutes 1982, section 352B.08, subdivision 2.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 509.

H.F. No. 638: A bill for an act relating to retirement; authorizing increases in survivor benefits payable by the Hibbing police relief association; amending Laws 1967, chapter 678, section 2, as amended.

Referred to the Committee on Governmental Operations.

H.F. No. 653: A bill for an act relating to elections; making numerous procedural changes in the election law; removing or clarifying obsolete and inappropriate language; rearranging certain provisions; amending Minne-

sota Statutes 1982, sections 201.061, subdivision 3; 203B.11; 203B.12, subdivision 2; 204B.31; 204B.33; 204B.36, subdivision 2; 204C.08, subdivision 1; 204C.10, subdivision 1; 204C.12, subdivisions 3 and 4; 204C.24, subdivision 1; 204C.25; 204C.35; 204D.11, subdivision 5; 204D.13, subdivision 3; 205.17, subdivisions 3 and 4; 206.11; 206.19, subdivision 1; 210A.39; proposing new law coded in Minnesota Statutes, chapter 204C; repealing Minnesota Statutes 1982, section 204B.06, subdivision 3.

Referred to the Committee on Elections and Ethics.

REPORTS OF COMMITTEES

Mr. Moe, R.D. moved that the Committee Reports at the Desk be now adopted, with the exception of the report on S.F. No. 447. The motion prevailed.

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

S.F. No. 681: A bill for an act relating to taxation; increasing the fee for issuance of a petroleum products distributors license; increasing the fee for issuance of special fuel dealers or bulk purchasers licenses; increasing the fee for issuance of a motor carrier license; increasing the fee for issuance of a temporary trip permit; amending Minnesota Statutes 1982, sections 296.06, subdivision 2; 296.12, subdivisions 1 and 2; and 296.17, subdivisions 10 and 17.

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

Page 2, line 36, strike "After the present license period expires on May 31,"

Page 3, strike lines 1 and 2

Page 3, line 3, strike "June 30, 1949, and thereafter"

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

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

S.F. No. 219: A bill for an act relating to local government; regulating kinds of and charges for water and sewer facilities and services; amending Minnesota Statutes 1982, section 444.075, subdivisions 1 and 3.

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

Page 1, line 10, after "Any" insert "*home rule charter*"

Page 1, line 11, strike "operating under a home rule charter"

Page 2, line 5, after the period, insert "*The authority granted in clause (iii) to cities which have territory within a watershed which has adopted a watershed plan pursuant to section 473.878 shall be exercised, with respect to*

facilities acquired following the adoption of the watershed plan, only for facilities which are not inconsistent with the watershed plan. The authority granted in clause (iii) to cities which have adopted local water management plans pursuant to section 473.879 shall be exercised, with respect to facilities acquired following the adoption of a local plan, only for facilities which are not inconsistent with the local plan."

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

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

S.F. No. 204: A bill for an act relating to taxation; defining "isolated or occasional sales" for purposes of the sales tax exemption; amending Minnesota Statutes 1982, section 297A.25, subdivision 1.

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

Page 6, line 1, delete "*are not held over*"

Page 6, line 2, delete "*more than three consecutive days in a year*" and insert "*have a duration of three or fewer consecutive days. The granting of the privilege of admission to places of amusement and the privilege of use of amusement devices by a nonprofit organization at an isolated or occasional event conducted on property owned or leased for a continuous period of more than 30 days by the nonprofit organization are also exempt. The exemption provided for isolated sales of tangible personal property and of the granting of admissions or the privilege of use of amusement devices by nonprofit organizations pursuant to this clause shall be available only if the sum of the days on which the organization and any subsidiary nonprofit organization sponsored by it that does not have a separate sales tax exemption permit conduct sales of tangible personal property, plus the days with respect to which the organization charges for the use of amusement devices or admission to places of amusement, does not exceed eight days in a calendar year.*"

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. 134: A bill for an act relating to public improvements; providing for a nursing care veterans facility at Moorhead under certain conditions; providing for a bond issue; appropriating money.

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

Page 2, line 1, delete "*2*" and insert "*3*"

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

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

which was re-referred

S.F. No. 763: A bill for an act relating to establishing at the Fergus Falls State Hospital a nursing care home for veterans; authorizing issuance of state bonds; appropriating money; proposing new law coded in Minnesota Statutes, chapter 198.

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

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

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

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

Page 1, line 12, delete everything after the period and insert *"A vital part of this public purpose is the continuation of educational computing services provided by the Minnesota educational computing consortium in a self-supporting manner, including development and distribution of computer software, training educators in the use of computers in the classroom, and negotiating purchasing arrangements for Minnesota educational institutions."*

Page 1, delete line 13

Page 1, line 14, delete everything before *"The"*

Page 1, line 15, delete *"14"* and insert *"16"*

Page 1, line 17, delete *"12"* and insert *"14"*

Page 1, line 18, delete *"consulting"* and insert *"computing"*

Page 1, line 19, after the period, insert:

"'Minnesota educational institutions' means Minnesota school districts or combination of school districts, department of education, community colleges, state universities, and the University of Minnesota."

Page 1, line 25, after *"assets"* insert *", including equipment,"*

Page 1, line 25, after *"liabilities"* insert *", copyrights and contractual rights and obligations"*

Page 2, line 10, before *"be"* insert *"shall"*

Page 2, line 10, delete *"employed"* and insert *"offered employment"*

Page 2, line 14, delete *"6"* and insert *"7"*

Page 2, line 15, after the comma insert *"equipment,"*

Page 2, after line 18, insert:

"Sec. 6. [REPORT TO LEGISLATURE.]

Notwithstanding any law to the contrary, the nonprofit corporation trans-

feree shall report to the education committees of the legislature by January 1 each year."

Page 2, line 26, delete "*educational*" and insert "*educational*"

Page 2, line 33, after "*computer*" insert "*training*."

Page 2, line 33, delete "*and*" and insert a comma

Page 2, line 33, before the period insert "*, and for development of software*"

Page 2, line 33, delete "*The*" and insert "*In making*"

Page 2, line 34, after "*purchases*" insert "*under this section the transferee nonprofit corporation*"

Page 2, line 34, delete "*be exempt from*" and insert "*comply with*"

Page 2, line 35, delete "*or otherwise*"

Page 3, line 1, after "*sections*" insert "*16.07*."

Page 3, line 6, after "*transferee*" insert "*who choose to transfer from the consortium*"

Page 3, line 14, before the period insert "*as soon as practical, but not later than June 30, 1984*"

Page 3, line 19, after "*effectuate*" insert "*this act, including*"

Page 3, line 26, delete "*train*" and insert "*provide opportunities to*"

Page 3, line 26, delete "*in*" and insert "*to learn*"

Page 4, after line 1, insert:

"Sec. 14. [REPORT TO LEGISLATURE.] *By January 1, 1984, the Minnesota education computing consortium shall submit a report to the education committees of the legislature.*"

Page 4, line 3, delete "*and*" and insert a semicolon

Page 4, line 3, after "*120.82*" insert "*; and 120.83*"

Page 4, line 6, delete "*12*" and insert "*14*"

Page 4, line 7, delete "*13*" and insert "*15*"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 5, delete "*education consulting*" and insert "*educational computing*"

Page 1, line 6, delete "*and*" and insert a semicolon

Page 1, line 6, after "*120.82*" insert "*; and 120.83*"

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

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

ferred

S.F. No. 883: A bill for an act relating to transportation; modifying the definition of truck-tractor to include the power unit of automobile carriers; adjusting the motor vehicle registration tax on certain trailers; requiring proof of payment of the federal heavy use tax on heavy trucks; increasing the maximum allowable width on vehicles from 8 to 8-1/2 feet; modifying vehicle length requirements to allow longer semitrailers and vehicle combinations; modifying the gross weight seasonal increase to include all axle combinations; modifying the distance a peace officer may require a vehicle to travel to a scale; increasing width requirement on loads of baled hay before flashing amber lights are required; amending Minnesota Statutes 1982, sections 168.011, subdivision 12; 168.013, subdivision 1d, and by adding a subdivision; 169.01, subdivision 7; 169.80, subdivision 2; 169.81, subdivisions 2 and 3; 169.825, subdivision 11; 169.85; and 169.862; repealing Minnesota Statutes 1982, sections 169.80, subdivision 2a; and 169.81, subdivisions 3a, 3b, and 7.

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

Page 1, line 33, delete "*not*" and delete "*more than four*"

Page 2, after line 26, insert:

"Sec. 4. Minnesota Statutes 1982, section 168.018, is amended to read:

168.018 [QUARTERLY REGISTRATION OF ~~FARM~~ TRUCKS.]

The owner of any ~~farm~~ truck as defined in section ~~168.011, subdivision 17,~~ may elect to register and license the ~~farm~~ truck only for one or more quarters of a registration year, at a tax of one-fourth of the annual tax on the vehicle plus \$5 for each quarterly registration. The expiration date of a quarterly registration shall be displayed on the license plate in such a manner as the registrar shall direct. No ~~farm~~ truck registered on a quarterly basis ~~shall~~ may be operated on the public streets and highways more than ten days beyond the end of the quarter for which it is registered unless the registration has been renewed for another quarter or for the remainder of the registration year.

For purposes of this section registration quarters shall begin on March 1, June 1, September 1, and December 1."

Page 2, line 36, delete "*not*" and delete "*more than four*"

Page 7, line 23, after "*carriers*" insert "*, livestock carriers,*"

Page 11, after line 31, insert:

"Sec. 12. Minnesota Statutes 1982, section 169.871, subdivision 1, is amended to read:

Subdivision 1. [CIVIL LIABILITY.] The owner or lessee of a vehicle that is operated with a gross weight in excess of a weight limit imposed under sections 169.825 and 169.832 to 169.87 or a shipper who ships or tenders goods for shipment in a single truck or combination vehicle that exceeds a weight limit imposed under sections 169.825 and 169.832 to 169.87 is liable for a civil penalty as follows:

(a) if the total gross excess weight is not more than 3,000 pounds, one cent per pound for each pound in excess of the legal limit;

(b) if the total gross excess weight is more than 3,000 pounds but not more than 4,000 pounds, five cents per pound for each pound in excess of the legal limit;

(c) if the total gross excess weight is more than 4,000 pounds but not more than 6,000 pounds, 15 cents per pound for each pound in excess of the legal limit; or

(d) if the total gross excess weight is more than 6,000 pounds, 30 cents per pound for each pound in excess of the legal limit.

A motor carrier, as defined in section 221.011, subdivision 15, assuming shipment of unprocessed or raw farm products shall assume full liability for civil penalty under this subdivision.

~~Any~~ A penalty imposed upon a defendant under this section shall not exceed the maximum penalty prescribed by this subdivision. ~~Any~~ A fine paid by the defendant in a criminal overweight action that arose from the same overweight violation shall be applied toward payment of the civil penalty. A peace officer who cites a driver for a violation of the weight limitations established by sections 169.81 to 169.87 shall give written notice to the driver that he or another may also be liable for the civil penalties provided herein in the same or separate proceedings."

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 4, after the semicolon, insert "allowing quarterly registration of trucks;"

Page 1, line 17, after the semicolon, insert "168.018;"

Page 1, line 20, delete "and" and after the semicolon, insert "and 169.871, subdivision 1;"

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

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.

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 174A.02, subdivision 2, is amended to read:

Subd. 2. [SPECIFIC FUNCTIONS AND POWERS.] The board shall further hold hearings and issue orders in cases brought before it by either the commissioner or by a third party in the following areas:

(a) Adequacy of services which ~~all~~ carriers are providing to the public, including the continuation, termination or modification of ~~all~~ services and facilities.

(b) The reasonableness of tariffs of rates, fares, and charges, or ~~any a~~ part or classification thereof; ~~and prescribe the form and manner of filing, posting and publication thereof.~~ The board may authorize common carriers by rail and motor carrier for hire to file tariffs of rates, fares, and charges individually or by group. ~~All such~~ Carriers participating in group rate making ~~shall~~ have the free and unrestrained right to take independent action either before or after ~~any a~~ determination arrived at through such procedure.

(c) The issuing of franchises, permits, or certificates of convenience and necessity.

Sec. 2. Minnesota Statutes 1982, section 174A.06, is amended to read:

174A.06 [CONTINUATION OF RULES OF PUBLIC SERVICE COMMISSION, PUBLIC UTILITIES COMMISSION, AND DEPARTMENT OF TRANSPORTATION.]

~~All rules,~~ Orders and directives heretofore in force, issued or promulgated by the public service commission, *public utilities commission*, or the department of transportation under authority of chapters ~~474,~~ 216A, 218, 219, and 221 ~~and 222 shall~~ remain and continue in force and effect until repealed, modified, or superseded by duly authorized ~~rules,~~ orders or directives of the transportation regulation board. *Rules adopted by the public service commission, public utilities commission or the department of transportation under authority of the following sections are transferred to the transportation regulation board and continue in force and effect until repealed, modified, or superseded by duly authorized rules of the transportation regulation board:*

(1) section 218.041 except rules related to the form and manner of filing railroad rates, railroad accounting rules, and safety rules;

(2) section 219.40;

(3) rules relating to rates or tariffs, or the granting, limiting, or modifying of permits or certificates of convenience and necessity under section 221.031, subdivision 1;

(4) rules relating to the sale, assignment, pledge, or other transfer of a stock interest in a corporation holding authority to operate as a permit carrier as prescribed in section 221.151, subdivision 1, or a local cartage carrier under section 221.296, subdivision 8;

(5) rules relating to rates, charges, and practices under section 221.161, subdivision 4; and

(6) rules relating to rates, tariffs, or the granting, limiting, or modifying of

permits or certificates of convenience and necessity under section 221.296, subdivision 2.

The board shall review the transferred rules, orders, and directives and, when appropriate, develop and adopt new rules, orders, or directives within 18 months of July 1, ~~1984~~ 1985.

Sec. 3. Minnesota Statutes 1982, section 221.061, is amended to read:

221.061 [OPERATION CERTIFICATE FOR REGULAR ROUTE COMMON CARRIER OR PETROLEUM CARRIER.]

~~Any~~ A person desiring a certificate authorizing operation as a regular route common carrier or petroleum carrier, or an extension of or amendment to ~~such~~ that certificate, shall file a petition ~~therefor~~ with the board which ~~shall~~ must contain ~~such~~ information as the board, by rule may prescribe.

Upon the filing of a petition for a certificate, the petitioner shall pay ~~into the state treasury to the commissioner~~ as a fee for ~~the issuance thereof~~ issuing the certificate the sum of \$75 and for ~~any~~ a transfer or lease of ~~such~~ the certificate the sum of \$37.50.

The petition ~~shall~~ must be processed as any other petition. The board shall cause a copy and a notice of hearing thereon to be served upon ~~any~~ a competing carrier operating into ~~any~~ a city located on the proposed route of the petitioner and to ~~such~~ other persons or bodies politic which the ~~commission board~~ deems interested in the petition. ~~Such~~ A competing carrier and other persons or bodies politic are hereby declared to be interested parties to the proceedings.

If, during the hearing, an amendment to the petition is proposed which appears to be in the public interest, the board may allow ~~the same~~ it when the issues and the territory are not unduly broadened by the amendment.

Sec. 4. Minnesota Statutes 1982, section 221.071, is amended to read:

221.071 [ISSUANCE OF CERTIFICATE TO REGULAR ROUTE COMMON CARRIER OR PETROLEUM CARRIER.]

If the board finds from the evidence that the petitioner is fit and able to properly perform the services proposed and that public convenience and necessity requires the granting of the petition or ~~any~~ a part ~~thereof~~ of it, it shall issue a certificate of public convenience and necessity to the petitioner. In determining whether a certificate should be issued, the board shall give primary consideration to the interests of the public that might be affected ~~thereby~~, to the transportation service being furnished by ~~any~~ a railroad which may be affected by the granting of the certificate, and to the effect which the granting of the certificate will have upon other transportation service essential to the communities which might be affected by the granting of the certificate. The board may issue a certificate as applied for or issue it for a part only of the authority sought and may attach to the authority granted ~~such~~ terms and conditions as in its judgment public convenience and necessity may require.

The board may grant a temporary certificate, ex parte, valid for a period not exceeding six months, upon a showing that no regular route common carrier is then authorized to serve on the route sought, that there is no other

petition on file with the board covering said route, and that there is a need for the proposed service.

A certificate which has been issued to a regular route common carrier may be amended by the board on ex parte petition and payment of a fee of \$25 *fee to the commissioner* so as to grant an additional or alternate route where there is no other means of transportation over ~~such the~~ proposed additional route or between the termini ~~thereon~~, and ~~such the~~ proposed additional route does not exceed ten miles in length.

Sec. 5. Minnesota Statutes 1982, section 221.131, is amended to read:

221.131 [PERMITS; TERMS, FEES, IDENTIFICATION CARDS.]

Permits issued ~~pursuant to~~ under the provisions of sections 221.011 to 221.291 ~~shall be~~ are effective for a 12-month period. Each permit holder ~~shall have~~ has one annual renewal date encompassing ~~all of~~ the permits held by him. The permit holder shall pay ~~into the treasury of the state of Minnesota to the commissioner~~ a fee of \$25 for each kind of permit, reinstatement, or extension of authority for which a petition is filed, except on annual renewal, ~~pursuant to~~ under section 221.121 and a registration fee of \$20 on each vehicle, including pickup and delivery vehicles, operated by him under authority of the permit during the 12-month period or fraction of the 12-month period. Trailers used by petitioner in combination with power units ~~shall are~~ not be counted as vehicles in the computation of fees under this section if the petitioner pays the fees for power units. The commissioner shall furnish a distinguishing identification card for each vehicle or power unit for which a fee has been paid, ~~which and the~~ identification card ~~shall must~~ at all times be carried in the vehicle or power unit to which it has been assigned. Identification cards may be reassigned to another vehicle or power unit without fee by the commissioner upon petition of the permit holder. Identification cards issued under the provisions of this section ~~shall be~~ are valid only for the period for which the permit is effective. The name and residence of the permit holder ~~shall must~~ be stenciled or otherwise shown on both sides of each registered vehicle operated under the permit. In the event a permit has been suspended or revoked, the board may consider a petition for reinstatement of the permit, upon the same procedure required for an original petition, and may, in its discretion, grant or deny the permit. Regular route common carriers and petroleum carriers, operating under sections 221.011 to 221.291, shall annually on or before January 1 of each calendar year, pay ~~into the treasury of the state of Minnesota to the commissioner~~ an annual registration fee of \$20 for each vehicle, including pickup and delivery vehicles, operated during ~~any~~ a calendar year.

The department may issue special "floater" identification cards up to a maximum of five per motor carrier. Floater cards may be freely transferred between vehicles used under short-term leases by the motor carrier. The motor carrier shall pay ~~to the commissioner~~ a fee of \$100 for each floater card issued.

A fee of \$3 ~~shall be, to be paid to the commissioner,~~ is charged for the replacement of an unexpired identification card which has been lost or damaged by the owner.

The provisions of this section are limited by the provisions of ~~any~~ appli-

cable federal law.

Sec. 6. Minnesota Statutes 1982, section 221.221, is amended to read:

221.221 [ENFORCEMENT POWERS.]

Transportation representatives and hazardous material specialists of the department *shall have the powers conferred by law upon police officers* for the purpose of enforcing the provisions of this chapter and *section 296.17, subdivisions 10 and 17 and the applicable rules of the commissioner and, the board issued pursuant to this chapter, and the commissioner of revenue, but for no other purpose, shall have all the powers conferred by law upon police officers.* The powers shall include the authority to conduct inspections at designated highway weigh stations or under other appropriate circumstances within the state for the purpose of viewing log books, licenses, health certificates and other documents or equipment required to be maintained within commercial motor vehicles operating in Minnesota pursuant to applicable state motor vehicle carrier laws and rules.

Sec. 7. Minnesota Statutes 1982, section 221.296, subdivision 5, is amended to read:

Subd. 5. [PERMIT FEES.] Upon filing of a petition for a permit the petitioner shall pay to the ~~state treasury~~ *commissioner* as a fee for the issuance ~~thereof of the permit,~~ the sum of \$50, and shall thereafter pay an annual renewal fee of \$75 plus \$5 per motor vehicle if the local cartage carrier operates less than five motor vehicles, or \$100 plus \$5 per motor vehicle if the local cartage carrier operates at least five but less than 15 motor vehicles, or \$150 plus \$5 per motor vehicle if the local cartage carrier operates 15 or more vehicles provided that ~~said the~~ \$5 per motor vehicle charge ~~shall~~ *does not* apply to taxicabs operated ~~pursuant to under a local cartage permit.~~ Upon issuance of the permit the commissioner shall assign the carrier a permit number, which ~~shall~~ *must* be painted or prominently displayed on both sides of ~~all~~ vehicles used by the local cartage carrier under authority of ~~said the~~ permit.

Sec. 8. Minnesota Statutes 1982, section 221.64, is amended to read:

221.64 [REGISTRATION FEE; EXEMPTIONS.]

~~Such~~ Registration as herein provided ~~shall~~ *must* be granted upon petition, without hearing, upon payment of an initial filing fee in the amount of \$25 ~~to the commissioner.~~ Upon petition, and payment of ~~said the~~ fee if applicable, the commissioner shall furnish to the registration holder a distinguishing identification stamp for each motor vehicle included in ~~said the~~ registration ~~which and the stamp shall~~ *must* at all times be carried in the registered vehicle of the registration holder. For each identification stamp issued, the commissioner shall establish and collect a fee of no more than \$5 ~~to be deposited in the state treasury,~~ provided that a lesser fee may be collected ~~pursuant to under the terms of reciprocal agreements between the commissioner and the regulatory bodies of other states or provinces of the Dominion of Canada.~~

Sec. 9. Minnesota Statutes 1982, section 221.81, is amended to read:

221.81 [BUILDING MOVER REGULATION.]

Subdivision 1. [DEFINITION DEFINITIONS.] *For the purposes of this*

section, the terms used in this section have the meanings given them in this subdivision.

(a) *"Building mover" means ~~any~~ a person, corporation, or other entity engaged in the business of raising, supporting off the foundation, and moving buildings, ~~excluding manufactured homes on and over public streets and highways.~~ Building mover does not include a person who moves manufactured homes or farmers moving farm buildings.*

(b) *"Political subdivision" means a city, town, or county.*

(c) *"Road authority" has the meaning given it in section 160.02, subdivision 9.*

Subd. 2. [LICENSE.] ~~All building movers operating in Minnesota shall be licensed by the board.~~ *No person may operate as a building mover in this state unless licensed by the commissioner.*

Subd. 3. [LICENSE APPLICATION.] ~~To obtain a license to operate as a building mover an applicant shall file a petition~~ *an application* with the commissioner specifying the name and address of its officers and other information as the ~~board~~ *commissioner* may reasonably require. ~~The board~~ *commissioner* shall issue the license upon compliance by the applicant with ~~bonding and insuring insurance~~ requirements ~~set by rule of the department~~ and payment of an initial \$150 filing fee. A license once granted ~~shall continue~~ *continues* in full force and effect, subject to a \$100 annual renewal fee and compliance with ~~bonding and insuring insurance~~ requirements, unless revoked or suspended.

The commissioner, upon approval of a license for a building mover, shall issue a sufficient number of cab cards to each licensed mover to provide one cab card for each power unit used in moving buildings. The fee is ~~\$50~~ *\$10* for each cab card issued. The cab card must be carried at all times in a readily available place in the cab of the power unit for which it was issued. The building mover may also purchase up to five floater cab cards for a fee of ~~\$200~~ *\$100* for each floater card issued. Cab cards ~~shall be~~ *are* effective for a 12-month period and ~~shall~~ *continue* from year to year thereafter upon payment of the required fee. Cab cards ~~shall~~ *are* only be good for the period for which the license is effective.

~~Licenses shall be transferable pursuant to the provisions of section 221.151.~~

Subd. 3a. [INSURANCE.] *Each building mover shall have in effect the following:*

(a) *comprehensive general liability insurance including completed operations, underground property damage, and collapse coverage in the amount of at least \$500,000 for bodily injury or property damage; and*

(b) *motor vehicle liability insurance in the amount of at least \$500,000 for bodily injury or property damage.*

The insurance must be written by an insurer licensed to do business in the state of Minnesota. Each building mover shall file with the commissioner a certificate evidencing the insurance. The insurance policy must provide that the policy may not be canceled without the insurer first giving 30 days written notice to the commissioner of the impending cancellation.

Subd. 3b. [LOCAL PERMITS.] A building mover may not move a building on or across a street or highway without first obtaining a permit from the road authority having jurisdiction over the street or highway. A permit for the movement of a building may not be granted to a building mover who does not possess a current license issued by the commissioner.

Subd. 3c. [LOCAL REGULATION.] No license to move buildings or bond, cash deposit, or insurance coverage may be required by a political subdivision of the state other than the license and insurance coverage required by the commissioner. A road authority may charge a fee for services performed and may require a permit which reasonably regulates the hours, routing, movement, parking, or speed limit for a building mover operating on streets or highways under its jurisdiction. A building mover shall comply with the state building code in jurisdictions which have adopted the state building code, and with local ordinances which regulate the moving or removing of buildings. A building mover may not be required to pay a route approval fee to, or obtain a permit for the movement of a building on streets or highways from, a political subdivision which is not also the road authority. This section does not prohibit a political subdivision from charging a permit fee for regulation of activities which do not involve the use of public streets or highways. Neither the state nor a political subdivision may regulate rates charged by building movers.

Subd. 4. [LICENSE REVOCATION, SUSPENSION, DENIAL.] The ~~board~~ commissioner, after notice and a hearing, may revoke, suspend, or deny a license for:

- (a) failure to pay application or renewal fees;*
- (b) failure to comply with bonding and insuring requirements;*
- (c) ~~Conduct~~ of the applicant or license holder that impairs usage of to reimburse the road authority for damage to public highways, roads, streets, or utilities which are not paid for by the license holders insurer;*
- (d) ~~(b)~~ conduct of the applicant or license holders that endangers the health and safety of users of the public highways, roads, streets, or utilities; or*
- (e) ~~a course of (c)~~ conduct of the applicant or license holder that demonstrates unsafe or hazardous operation of the business obstructs traffic in a manner other than as authorized in the permit;*
- (f) violation of the provisions of this section; or*
- (g) failure to obtain required local moving permits or permits required by section 169.86.*

Subd. 5. [SUSPENSION BY COMMISSIONER.] The commissioner may ~~shall~~ suspend a license without a hearing for the following reasons:

- (1) (a) failure to pay the application or renewal fee; or*
- (2) (b) failure to comply with bonding and insurance requirements.*

The suspension shall ~~continue~~ continues until the fees have been are paid and the bonding and insurance requirements have been are satisfied.

Subd. 6. [APPLICATION OF VIOLATION AND PENALTY PROVISIONS PENALTIES.] The violation and penalty provisions of section 221.291

are applicable to this section A person who violates, or aids or abets the violation of, any of the provisions of this section is guilty of a misdemeanor. Every distinct violation is a separate offense.

Subd. 7. ~~[RULES.]~~ The commissioner shall promulgate rules establishing bonding and insuring requirements.

Subd. 8. ~~[LOCAL REGULATION.]~~ No license to move buildings, bond or insurance coverage shall be required by a political subdivision of the state other than the license, bond and insurance coverage issued or required by the board or commissioner. A political subdivision or the department may require a permit which reasonably regulates the hours, routing, movement, parking or speed limit for a building mover operating on streets or roads within the jurisdiction of the political subdivision or highways within the jurisdiction of the commissioner. Neither the state nor a political subdivision may regulate rates charged by building movers.

Subd. 9. ~~[FEES DEPOSITED IN GENERAL FUND.]~~ All fees collected pursuant to this section shall be deposited in the general fund.

Sec. 10. [221.82] [COSTS TO BE PAID FROM THE TRUNK HIGHWAY FUND.]

The costs of administering the provisions of this chapter must be paid from the trunk highway fund.

Sec. 11. [221.83] [RECEIPTS TO BE CREDITED TO TRUNK HIGHWAY FUND.]

Money received by the commissioner under the provisions of this chapter must be paid into the state treasury and credited to the trunk highway fund.

Sec. 12. Minnesota Statutes 1982, section 296.17, subdivision 10, is amended to read:

Subd. 10. [LICENSE.] (a) No motor carrier ~~shall~~ *may* operate a commercial motor vehicle upon the highways of this state unless and until he has been issued a license pursuant to this section or has obtained a trip permit or temporary authorization as provided in this section.

(b) A license shall be issued to any responsible person qualifying as a motor carrier who makes application therefor and who ~~shall pay~~ *pays* to the commissioner, at the time thereof, a license fee of ~~\$10~~ *\$20*. ~~Such~~ *The* license ~~shall remain~~ *is* valid for a period of two years or until revoked by the commissioner or until surrendered by the motor carrier. ~~Such~~ *The* license, photocopy, or electrostatic copy of it, shall be carried in the cab of every commercial motor vehicle while it is being operated in Minnesota by a licensed motor carrier.

Sec. 13. Minnesota Statutes 1982, section 296.17, subdivision 17, is amended to read:

Subd. 17. [TRIP PERMITS AND TEMPORARY AUTHORIZATIONS.] (a) A motor carrier may obtain a trip permit which shall authorize an unlicensed motor carrier to operate a commercial motor vehicle in Minnesota for a period of five consecutive days beginning and ending on the dates specified on the face of the permit. The fee for ~~such~~ *the* permit shall be \$5 *\$15*. Fees for trip permits shall be in lieu of the road tax otherwise assessable

against ~~such~~ the motor carrier on account of ~~such~~ the commercial motor vehicle operating therewith, and no reports of mileage shall be required with respect to ~~such~~ the vehicle.

The above permit shall be issued in lieu of license if in the course of the motor carrier's operations he operates on Minnesota highways no more than three times in any one calendar year.

(b) Whenever the commissioner is satisfied that unforeseen or uncertain circumstances have arisen which requires a motor carrier to operate in this state a commercial motor vehicle for which neither a trip permit pursuant to clause (a) of this subdivision nor a license pursuant to subdivisions 7 to 22 has yet been obtained, and if the commissioner is satisfied that prohibition of ~~such~~ that operation would cause undue hardship, the commissioner may provide the motor carrier with temporary authorization for the operation of ~~such~~ the vehicle. A motor carrier receiving temporary authorization pursuant to this subdivision shall perfect the same either by obtaining a trip permit or a license, as the case may be, for the vehicle at the earliest practicable time.

Sec. 14. Minnesota Statutes 1982, section 296.17, subdivision 20, is amended to read:

Subd. 20. [ENFORCEMENT POWERS.] (a) The commissioner is ~~hereby~~ authorized and directed to enforce the provisions of subdivisions 7 to 22. In addition, the commissioner of public safety is ~~hereby~~ authorized and directed to ~~utilize~~ use the Minnesota state patrol to assist in the enforcement of the provisions of subdivisions 7 to 22 *and the commissioner of transportation is authorized and directed to enforce the provisions of subdivisions 10 and 17 as provided in section 221.221.*

(b) The officers of the Minnesota state patrol shall in addition to all other powers granted to them by Minnesota Statutes have the power of making arrests, service process, and appearing in court in all matters and things relating to subdivisions 7 to 22 and the administration and enforcement thereof.

Sec. 15. Minnesota Statutes 1982, section 296.25, subdivision 1, is amended to read:

Subdivision 1. Any person who fails to comply with any provisions of sections 296.01 to 296.421, or who makes any false statement in any report, record, or sales ticket required by sections 296.12, 296.14, 296.17, subdivision 5, 296.18, subdivision 2, or 296.21, shall be guilty of a misdemeanor. *A fine of \$200 shall be imposed on a person who fails to obtain a license or trip permit required under section 296.17, subdivisions 10 and 17.*

Prosecutions commenced under this section may be brought in the county in which the defendant resides or in Ramsey county.

The county attorney of any county in which ~~such~~ the action is commenced, shall on request of the commissioner of revenue, prosecute violations of this chapter. Costs, fees, and expenses incurred by any county attorney in litigation in connection with ~~such actions~~ the action may be paid from appropriations to the commissioner of revenue for the administration of this chapter.

Sec. 16. Laws 1980, Chapter 534, Section 87, as amended by Laws 1981, chapter 357, section 108, is amended to read:

Sec. 87. [EFFECTIVE DATE.]

This act is effective on July 1, ~~1984~~ 1985.

Sec. 17. [COMPLEMENT.]

The approved complement of the department of transportation is increased by eight positions for the purpose of enforcing chapter 221 and section 296.17, subdivisions 10 and 17.

Sec. 18. [REPEALER.]

Minnesota Statutes 1982, section 160.26, subdivision 3, is repealed.

Sec. 19. [EFFECTIVE DATE.]

Sections 1 to 11 and 13 to 18 are effective July 1, 1983. Section 12 is effective April 1, 1984."

Delete the title and insert:

"A bill for an act relating to transportation; providing for the transfer of 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; increasing enforcement powers of certain transportation representatives; changing fees for motor vehicle fuel permits; delaying the effective date of the transportation regulation board; prescribing penalties; amending Minnesota Statutes 1982, sections 174A.02, subdivision 2; 174A.06; 221.061; 221.071; 221.131; 221.221; 221.296, subdivision 5; 221.64; 221.81; 296.17, subdivisions 10, 17, and 20; and 296.25, subdivision 1; and Laws 1980, chapter 534, section 87, as amended; proposing new law coded in Minnesota Statutes, chapter 221; repealing Minnesota Statutes 1982, section 160.26, subdivision 3."

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

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

S.F. No. 527: A bill for an act relating to legal liability; prohibiting retaliation against an individual who complies with the child abuse reporting act; providing damages for retaliation; clarifying immunity provisions for good faith compliance with the child abuse reporting act; amending Minnesota Statutes 1982, section 626.556, subdivision 4, and by adding a subdivision.

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

Page 1, line 13, before "Any" insert "(a)"

Page 1, lines 14, 15 and 17, reinstate the stricken language

Page 1, lines 14 to 17, delete the new language

Page 1, after line 20, insert:

"(b) An employee of a local welfare agency, who in good faith exercises

due care when complying with subdivisions 10 and 11 or any related rule or provision of law, shall have immunity from any liability, civil or criminal, that otherwise might result by reason of his action."

Page 1, line 23, delete "A facility or" and insert "An employer of any"

Page 1, line 24, before "shall" insert "required to make reports under subdivision 3"

Page 1, line 24, delete "any" and insert "the" and delete "who reports" and insert "for reporting"

Page 2, line 1, before "Any" insert "The employer of" and delete "facility or"

Page 2, line 1, delete "which" and insert "required to report under subdivision 3 who" and delete "any" and insert "the"

Page 2, line 8, delete "a facility or" and insert "an employer of a" and delete "involved in a report" and insert "required to report under subdivision 3"

Page 2, line 9, delete the second "person" and insert "child"

Page 2, after line 17, insert:

"(d) Nothing in this subdivision shall preclude an employer from retaliating against a person who neglects or abuses a child."

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

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

S.F. No. 391: A bill for an act relating to economic development; regulating loans of the small business finance agency; amending Minnesota Statutes 1982, sections 116J.88, subdivision 4; and 116J.90, subdivision 2.

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

Page 1, line 10, after "4." insert "[SMALL BUSINESS.]"

Page 1, line 13, strike "15 U.S." and insert "United States"

Page 1, line 13, strike "Sections" and insert "title 15, sections"

Page 1, line 14, strike "in effect March 1, 1980" and insert "amended"

Page 1, delete lines 24 and 25

Page 2, delete lines 1 and 2

Page 2, line 3, delete "Minnesota Statutes, section 116H.12, subdivision 4" and insert "The definition of small business is not limited by the exceptions in clauses (a) to (e) if at least 60 percent of the capital expenditures financed are for the purpose of providing pollution control or complying with energy standards adopted under section 116J.19, subdivision 8"

Page 2, line 4, after "in" insert "clauses" and delete "shall" and insert

“does”

Page 2, after line 7, insert:

“Sec. 2. Minnesota Statutes 1982, section 116J.88, subdivision 8, is amended to read:

Subd. 8. [POLLUTION CONTROL LOAN.] “Pollution control loan” means a loan to the owner of a small business for the acquisition, construction, or improvement of pollution control facilities. ~~Pollution control facilities may include real and personal property likely to help prevent, reduce, abate, or control noise, air, or water pollution or contamination by removing, altering, disposing, or storing pollutants, contaminants, wastes, or heat, and real and personal property to be used for the collection, storage, treatment, utilization, processing, or final disposal of solid or liquid waste.~~

Sec. 3. Minnesota Statutes 1982, section 116J.88, is amended by adding a subdivision to read:

Subd. 9. [POLLUTION CONTROL FACILITY.] “Pollution control facility” means real and personal property likely to help prevent, reduce, abate, or control noise, air, or water pollution or contamination by removing, altering, disposing, or storing pollutants, contaminants, wastes, or heat, and real and personal property to be used for the collection, storage, treatment, utilization, processing, or final disposal of solid or liquid waste.

Sec. 4. Minnesota Statutes 1982, section 116J.89, is amended by adding a subdivision to read:

Subd. 11. [CONFLICTS OF INTEREST.] *Section 471.87 does not apply to a member of the small business finance agency acting in the member's official capacity with the agency. Section 10A.07 does apply.*

Page 2, line 12, strike “such” and insert “those”

Page 2, line 13, strike “provided that” and insert “if”

Page 2, lines 14 and 27, strike “shall” and insert “does”

Page 2, line 15, strike “shall be” and insert “is”

Page 2, line 17, strike “shall be” and insert “are”

Page 2, line 21, strike “provided, that” and insert “. However,”

Page 2, line 35, strike “such” and insert “the”

Page 3, line 3, strike “shall be” and insert “is”

Page 3, line 5, strike “such”

Page 3, line 6, strike “as” and strike “may require; provided that” and insert “requires. However,”

Page 3, line 10, strike “shall” and insert “does”

Page 3, line 11, after “by” delete “a” and insert “the”

Page 3, line 11, after “federal” insert “government or an”

Page 3, line 12, after “agency” insert “or instrumentality thereof”

Page 3, line 20, strike “may be” and insert “is”

Page 3, after line 23, insert:

“Sec. 6. Minnesota Statutes 1982, section 116J.91, subdivision 12, is amended to read:

Subd. 12. It may issue and sell bonds, notes, and other obligations payable solely from particular moneys, assets, or revenues derived from its programs notwithstanding section 462A.08, subdivision 3. Obligations issued to participate in making or purchasing business loans pursuant to section 116J.90, subdivision 2, shall be payable solely from revenues derived by the agency from repayments of such loans and from enforcement of the security therefor, or from a debt service reserve fund or funds, or from a general reserve fund or from a segregated portion thereof, irrevocably pledged and appropriated to pay principal and interest due, for which other funds are not available. A general reserve fund is hereby created and is eligible to receive direct appropriations from the state treasury. The agency may irrevocably pledge and appropriate all or a segregated portion of the general reserve fund to pay principal and interest due on all or one or more series of its obligations for which other funds are not available, pursuant to the terms and conditions that the agency ~~shall determine~~ *determines*. Until so pledged and appropriated by the agency, the general reserve fund ~~shall~~ is not be available to pay principal and interest on the agency's obligations. No obligations ~~shall may~~ be issued to participate in making or purchasing business loans pursuant to section 116J.90, subdivision 2, unless the *proceeds of the obligations are used to acquire loans insured or guaranteed by the federal government or an agency or instrumentality thereof or by a private insurer qualified to write that insurance in the state, or unless the obligations are* secured at the time of issuance by a debt service reserve fund, a portion of the general reserve fund segregated to secure one or more series of bonds, or the portion of the general reserve fund not segregated to secure one or more series of bonds, and unless the amount then held or then deposited in the fund or segregated portion is at least equal to ten percent of the aggregate principal amount of all obligations secured by the fund or segregated portion thereof.”

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 4, delete “subdivision” and insert “subdivisions”

Page 1, line 4, after “4” insert “and 8, and by adding a subdivision”

Page 1, line 4, delete “and” and insert “116J.89, by adding a subdivision;”

Page 1, line 5, after “2” insert “; and 116J.91, subdivision 12”

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

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

S.F. No. 291: A bill for an act relating to economic development; providing for job training and related services; appropriating money; proposing

new law coded in Minnesota Statutes, chapter 268.

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

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

S.F. No. 541: A bill for an act relating to counties; authorizing a jobs program.

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

Page 1, line 12, delete “6” and insert “5”

Page 1, lines 20, 22, and 24, delete the comma and insert a semicolon

Page 1, line 24, after “(d)” insert “who”

Page 2, line 4, delete “a county or portion of a county whose” and insert “an”

Page 2, line 6, after “security” insert “in a county or portion of a county that”

Page 2, line 8, delete “, 1982”

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

Mr. Dieterich from the Committee on Public Utilities and State Regulated Industries, to which was referred

S.F. No. 692: A bill for an act relating to public utilities; specifying the treatment of certain expenses; amending Minnesota Statutes 1982, section 216B.16, subdivision 7.

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 216B.16, subdivision 7, is amended to read:

Subd. 7. [ENERGY COST ADJUSTMENTS.] (a) *Electricity rate adjustments.* Notwithstanding any other provision of this chapter, the commission may permit a public utility to file rate schedules containing provisions for the automatic adjustment of charges for public utility service in direct relation to changes in federally regulated wholesale rates for *electric* energy delivered through interstate facilities or fuel used in generation of electricity ~~or the manufacture of gas.~~

(b) *Gas rate adjustments.* The commission shall not permit a utility to file rate schedules containing provisions for the automatic adjustment of charges for public utility service in direct relation to changes in federally regulated wholesale rates for the manufacture of gas.

Any utility seeking to increase its rates due to increases in the wholesale

rates for gas purchased by the utility shall file annually with the commission a one-year and a five-year forecast of the gas requirements of its customers, its anticipated sources of supply, and projections of gas costs. These forecasts must describe all major contracts and gas supply arrangements entered into by the utility for obtaining gas during the one-year and five-year period. The description of major contracts and gas supply arrangements must include the price of the gas, the duration of the contract or arrangement, and an explanation or description of any other term or provision as required by the commission. The forecast must also include the gas utility's evaluation of the reasonableness and prudence of its decisions to obtain gas in the manner described in the forecast, in light of the major alternative gas supplies available to the utility, and an explanation of the legal and regulatory actions taken by the utility to minimize the cost of gas purchased by the utility.

If the commission determines that the increased wholesale costs projected in the one-year plan were prudently incurred, it shall authorize higher rates to recover the projected increases. At the end of the one-year period, the commission shall conduct a reconciliation hearing at which the commission shall reconcile revenues recorded pursuant to the rate increase authorized to recover higher wholesale costs with amounts actually expensed and included in the cost of gas sold by the gas utility.

In its order in a gas cost reconciliation, the commission shall require a gas utility to refund to customers or credit to customers' bills any net amount determined to have been recovered over the period covered in excess of the amounts determined to have been actually expensed by the utility for gas sold, and to have been incurred through reasonable and prudent actions not precluded by the commission order in the gas supply and cost review. Such refunds or credits shall be apportioned among the customers of the utility utilizing procedures that the commission determines to be reasonable. The commission may adopt different procedures with respect to customers served under the various rate schedules of the utility and may, in appropriate circumstances, order refunds or credits in proportion to the excess amounts actually collected from each such customer during the period covered.

In its final order, the commission shall evaluate the decisions underlying the five-year forecast filed by a gas utility under this paragraph. The commission may also indicate any cost items in the five-year forecast that, on the basis of present evidence, the commission would be unlikely to permit the gas utility to recover from its customers in rates, rate schedules, or gas cost recovery factors established in the future.

Sec. 2. [EFFECTIVE DATE.]

Section 1 is effective the day following final enactment."

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

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

S.F. No. 684: A bill for an act relating to mortgage registry tax; providing for a valid and recordable security in a variable debt instrument; waiving mortgage registry tax for chapter 518 instruments; amending Minnesota Statutes 1982, section 287.03.

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 287.01, subdivision 3, is amended to read:

Subd. 3. [MORTGAGE.] ~~The word~~ “Mortgage” means any instrument, *including a decree of marriage dissolution or an instrument made pursuant to it*, creating or evidencing a lien of any kind on ~~such~~ property, given or taken as security for a debt, notwithstanding such debt may also be secured in part by a lien upon personality.

Sec. 2. Minnesota Statutes 1982, section 287.03, is amended to read:

287.03 [~~WHAT~~ INSTRUMENTS VALID SECURITY FOR DEBT.]

No instrument, *other than a decree of marriage dissolution or an instrument made pursuant to it*, relating to real estate shall be valid as security for any debt, unless the fact that it is ~~so~~ intended and the *initial* amount of ~~such~~ the debt are expressed ~~therein~~ in it.

Sec. 3. Minnesota Statutes 1982, section 287.04, is amended to read:

287.04 [MORTGAGES EXEMPTED.]

A decree of marriage dissolution or an instrument made pursuant to it or a mortgage given to correct a misdescription of the mortgaged property, or to include additional security for the same indebtedness on which a mortgage registration tax has been paid, shall not be subject to the tax imposed by this chapter except as provided in section 287.05, subdivision 2(b).

Sec. 4. [EFFECTIVE DATE.]

This act is effective upon final enactment. Sections 1 and 3 apply to all mortgages created before, on, or after the effective date.”

Amend the title as follows:

Page 1, line 4, delete “chapter”

Page 1, line 5, delete “518” and insert “marriage dissolution”

Page 1, line 6, delete “section” and insert “sections 287.01, subdivision 3;”

Page 1, line 6, before the period, insert “; and 287.04”

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

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

S.F. No. 529: A bill for an act relating to human rights; prohibiting discrimination because of disability; providing penalties; amending Minnesota Statutes 1982, sections 363.01, subdivisions 10, 25, and by adding subdivisions; 363.02, subdivisions 1 and 5; 363.03, subdivisions 1, 3, 4, and 7; and repealing Minnesota Statutes 1982, section 363.03, subdivision 4a.

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

as follows:

Page 1, delete section 1

Page 1, line 24, delete the first comma and insert "or" and delete ", or"

Page 1, line 25, delete "emotional"

Page 2, after line 11, insert:

"For the purposes of this subdivision, "disability" excludes any condition resulting from alcohol or drug abuse which prevents a person from performing the essential functions of the job in question or constitutes a direct threat to property or the safety of others."

Page 2, line 19, delete "Such" and insert "The"

Page 3, lines 22 and 28, strike "such" and insert "the"

Page 3, line 24, strike "whereby" and insert "by which"

Page 4, line 5, reinstate the stricken "require" and before "request" insert "or"

Page 4, line 14, strike "to"

Page 4, line 16, after the stricken language, insert "with the consent of the employee, to obtain additional medical information for the purposes of establishing an employee health record;

(iii) to"

Page 4, line 25, strike "(iii)" and insert "(iv)"

Page 4, line 29, strike "(iv)" and insert "(v)"

Page 7, line 3, delete "15" and insert "100"

Page 7, line 10, delete the first comma and insert "or" and delete ", or emotional"

Page 7, line 14, delete "part-time or" and after "schedules" insert "that do not reduce the total number of hours normally worked"

Page 7, line 21, delete the comma and insert "and the"

Page 7, line 22, delete ", and size of budget"

Page 7, line 25, delete the second "and"

Page 7, after line 25, insert:

"(d) the reasonable ability to finance the accommodation at each site of business; and"

Page 7, line 26, delete "(d)" and insert "(e)"

Page 7, after line 28, insert:

"Any cost to an employer in excess of \$2,000 to make accommodations shall be deemed an undue hardship."

Page 8, line 18, delete "such" and insert "the"

Page 10, line 14, delete "12" and insert "11"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 4, delete "subdivisions" and insert "subdivision"

Page 1, line 5, delete "10,"

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

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

S.F. No. 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.

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

Page 2, line 13, reinstate the stricken language and delete the new language

Page 2, line 13, after "days" insert "*, or in the case of farm real property 60 days,*"

Page 2, line 30, delete "not" and "farm" and after the comma, insert "*other than farm real property,*"

Page 9, delete lines 27 to 29 and insert:

"Sec. 10. [FARM WORKING CAPITAL LOAN GUARANTEES.]

Subdivision 1. [DEFINITIONS.] (a) For the purposes of this section, the terms defined in this subdivision have the meanings given them.

(b) "Applicant" means a person applying for a loan to be guaranteed by the state under this section.

(c) "Commissioner" means the commissioner of agriculture.

(d) "Guarantee" means a state guarantee of payment of a loan issued under this section.

(e) "Lender" means a bank, savings bank, mutual savings bank, building and loan association, or savings and loan association, organized under the laws of this state or the United States, a trust company, a trust company acting as a fiduciary, and any other financial institution subject to the supervision of the commissioner of banks, and a financial institution operating under the supervision of the farm credit administration.

Subd. 2. [APPLICANT CRITERIA.] An applicant for a loan guarantee under this section must meet the following criteria:

(a) the applicant must be an individual Minnesota farmer or a Minnesota

family farm corporation all members of which live on the farm and are engaged in farming, or a partnership all members of which are engaged in farming; and

(b) the applicant must have applied for a loan in the same amount for the same purposes to at least one lender within the preceding 60 days and been rejected.

Subd. 3. [LOAN CRITERIA.] A loan guarantee under this section may be granted only if:

(a) the loan is being made by a lender to an applicant who is already a customer of that lender for existing agricultural loans;

(b) the loan is used only for working capital needed for the operation of a farm business during the 1983 crop year;

(c) the term of the loan to be guaranteed is no more than 18 months;

(d) the parties to the loan agree that all payments made by the applicant to the lender during the term of the loan will first be applied to any portion of the guaranteed loan still outstanding and then to previous or subsequent loans made by the lender to the applicant;

(e) the loan does not exceed \$25,000 in principal amount;

(f) the loan is secured by a mortgage on real estate satisfactory to the commissioner to secure payment of the loan, the value of the real estate securing the loan to be certified by the lender on the basis of appraisals as the commissioner may require; and

(g) the parties to the loan agree that the state is subrogated to the rights of the lender in case of default to the extent of its liability under its guarantee of a loan.

Subd. 4. [LOAN APPLICATION; DENIAL.] A person desiring a loan guaranteed by the state under this section may apply for a loan from a lender where the applicant has existing agricultural loans. The loan application shall be on forms supplied by the commissioner, including a net worth statement, and shall be accompanied by a copy of the applicant's 1982 federal and state income tax returns. If the applicant, the lender, and the terms of the loan meet the criteria in this section, the lender may apply to the commissioner for a guarantee of the loan. If the commissioner agrees that the applicant, the lender, and the terms of the loan meet the criteria in this section, the commissioner shall guarantee payment of 50 percent of the amount of the loan. Otherwise, the commissioner shall deny the guarantee. The form of the guarantee is subject to the approval of the attorney general, but not subject to the provisions of chapter 14.

Subd. 5. [CLAIMS UNDER GUARANTEE.] A claim for payment of an amount guaranteed under this section arises when the term of a guaranteed loan expires with less than 50 percent of the original amount of the loan repaid. The state is not obligated to pay any claim under a guarantee unless the lender notifies the commissioner of the claim within three days after it arises. The lender shall provide the commissioner with a current financial statement of the borrower within ten days after notification of the claim. When a claim is made as provided in this subdivision, the commissioner shall

pay to the lender the difference between 50 percent of the original amount of the loan and the amount that has been repaid by the borrower.

Subd. 6. [RECOVERY OF STATE FUNDS.] The commissioner shall diligently attempt to recover amounts paid to lenders because of defaults on loans guaranteed under this section, exercising, as appropriate, all the state's rights of subrogation, payment priorities, and other available remedies.

Subd. 7. [GUARANTEE VOID.] A loan guarantee under this section is void if the guarantee was obtained by fraud or material misrepresentation of which the lender had actual knowledge.

Subd. 8. [RESERVE FOR DEFAULTED LOANS.] Up to \$2,500,000 of the amount set aside in the special account created under Minnesota Statutes 1982, section 41.61, subdivision 1, for defaulted family farm security loans is appropriated to pay lenders for defaulted farm working capital loans made under this section. The sum of all outstanding farm working capital loans guaranteed by the commissioner at any time shall not exceed eight times the balance in this \$2,500,000 account. This appropriation reduces the amount of new family farm security loans that may be guaranteed during the time when guaranteed farm working capital loans are outstanding. When all working capital guarantees have expired, the appropriation will again be available to guarantee family farm security loans.

Subd. 9. [EXPIRATION.] The authority of the commissioner to make loan guarantees under this section applies to loan applications received by lenders before June 1, 1983.

Sec. 11. [EFFECTIVE DATE.]

This act is effective the day following final enactment."

Amend the title as follows:

Page 1, line 9, after the semicolon, insert "authorizing farm working capital loan guarantees until June 1, 1983;"

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

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

S.F. No. 301: A bill for an act relating to the environment; requiring mandatory minimum jail sentences for persons convicted of violating laws or rules relating to hazardous waste disposal; providing that unlawful disposal of hazardous wastes is a felony; prescribing penalties; amending Minnesota Statutes, section 115.071, subdivision 2, and by adding a subdivision.

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

Page 1, line 14, delete "section 2" and insert "sections 2 and 3"

Pages 2 to 4, delete sections 2 and 3 and insert:

"Sec. 2. Minnesota Statutes 1982, section 115.071, is amended by ad-

ding a subdivision to read:

Subd. 2a. [HAZARDOUS WASTE; CRIMINAL PENALTIES.] A person shall be punished by a fine of not more than \$25,000 per day of violation or by imprisonment of not more than one year, or both, upon conviction of any of the following offenses:

(a) willfully or negligently violating any provision relating to hazardous waste of chapter 115 or 116, or any standard, rule, variance, order, stipulation agreement, schedule of compliance, permit, or term or condition of a permit issued or adopted by the agency under such a provision;

(b) willfully or negligently violating any duty to permit or carry out any recording, reporting, monitoring, sampling, information entry, access, copying or other inspection or investigation requirement as provided under any provision relating to hazardous waste of chapter 115 or 116, or any standard, rule, variance, order, stipulation agreement, schedule of compliance or permit issued or adopted by the agency under such a provision; or

(c) knowingly making any false material statement, representation or certification in any application, label, manifest, record, report, plan, permit or other document, or knowingly destroying, altering, or concealing any document, filed or required to be maintained with respect to hazardous waste under any provision of chapter 115 or 116, or under any standard, rule, order, stipulation agreement, schedule of compliance or permit issued or adopted by the agency under such a provision.

If the conviction is for conduct committed after a first conviction of the person under this subdivision, punishment shall be by a fine of not more than \$50,000 per day of violation or by imprisonment of not more than two years, or both.

Sec. 3. Minnesota Statutes 1982, section 115.071, is amended by adding a subdivision to read:

Subd. 2b. [HAZARDOUS WASTE; UNLAWFUL DISPOSAL; CRIMINAL PENALTIES.] Any person who knowingly, or with reason to know, disposes of hazardous waste in a manner contrary to any provision of chapter 115 or 116, or any standard or rule adopted in accordance with those chapters, is guilty of a felony and may be sentenced to imprisonment for not more than five years or to payment of a fine of not more than \$25,000.

For the purposes of this subdivision, the terms defined in this clause have the meanings given them.

(a) "Disposal" has the meaning given it in section 115A.03, subdivision 9.

(b) "Hazardous waste" has the meaning given it in section 116.06, subdivision 13.

Sec. 4. [EFFECTIVE DATE.]

Sections 1 and 2 are effective the day following final enactment. Section 3 is effective August 1, 1983."

Amend the title as follows:

Page 1, line 2, delete "requiring mandatory"

Page 1, line 3, delete "minimum jail sentences" and insert "imposing

stricter criminal penalties”

Page 1, line 5, delete “disposal”

Page 1, line 6, delete “prescribing penalties:”

Page 1, line 8, delete “a subdivision” and insert “subdivisions”

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

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

S.F. No. 682: A bill for an act relating to animals; providing for the welfare of certain pets and companion animals; imposing penalties; proposing new law coded in Minnesota Statutes, chapter 346.

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

Page 1, lines 9 and 12, delete “9” and insert “10”

Page 1, line 12, after “[SCOPE.]” insert “*Sections 1 to 10 shall only apply to veterinarians, animal boarding facilities, and commercial animal facilities, excepting section 4, subdivision 9.*”

Page 1, after line 22, insert:

“*Subd. 5. [NEGLECT.] “Neglect” means failure to provide the minimum care required for the health and well-being of a pet or companion animal.*”

Renumber the subdivisions in sequence

Page 4, line 16, delete everything after the period

Page 4, delete line 17

Page 9, after line 19, insert:

“Sec. 9. [346.43] [FARM ANIMALS EXCLUDED.]

Sections 1 to 10 do not apply to the care or treatment of an agricultural or farm animal which is used for food or other products.”

Page 9, line 20, delete “[346.43]” and insert “[346.44]”

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 3, delete “penalties” and insert “a penalty”

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. 447: A bill for an act relating to veterans; reestablishing the board of governors of the Big Island Veterans Camp; providing for its appointment and duties; transferring certain state land to the board; providing for the

possible disposition of the land by the board; proposing new law coded in Minnesota Statutes, chapter 197; repealing Minnesota Statutes 1982, sections 197.13; 197.15; 197.16; 197.17; 197.18; and 197.19.

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

Page 1, after line 11, insert:

“Section 1. Minnesota Statutes 1982, section 197.13, is amended to read:

197.13 [LAND SECURED FOR RECREATION CAMPS FOR VETERANS.]

The board of governors provided for in Minnesota Statutes 1974, Section 197.14 is hereby authorized and directed to purchase Big Island, Lake Minnetonka, and all buildings and other appurtenances thereon, on which is presently located the Big Island Veterans Camp, and which is described as follows: Government Lot One (1), Section Fourteen (14), Township One Hundred Seventeen (117), Range Twenty-three (23); Government Lot Two (2), Section Twenty-three (23), Township One Hundred Seventeen (117), Range Twenty-three (23); and that part of Government Lot Three (3), Section Twenty-three (23), Township One Hundred Seventeen (117), Range Twenty-three (23), commencing at the Northeast corner of said Government Lot Three (3), Section Twenty-three (23); thence Southwesterly along the lake shore to the Northeast corner of Lot A, Morse Island Park; thence South 350 feet to Lake Minnetonka; thence East along the shore of Lake Minnetonka to the East line of said Lot Three (3); thence North to the place of beginning, for the establishment and maintenance of a recreation and recuperative camp for the use and benefit of veterans of the world war and other wars, resident in the state. Title to said land, buildings, and other appurtenances shall be ~~transferred~~ held by the board of governors of the Big Island Veterans Camp ~~to the state of Minnesota.~~”

Page 1, line 21, delete “may” and insert “shall” and delete “in an advisory”

Page 1, line 22, delete “capacity” and delete “any of”

Page 2, line 26, delete “and” and insert a comma

Page 2, line 27, after “affairs” insert “, and to the legislature”

Page 2, after line 30, insert:

“The board may sell a portion of the property to an interested public or private party for the full market value. The proceeds realized from the sale of the property shall be used for maintenance or capital improvements to the remaining property.”

Page 3, line 6, after “board” insert “, upon approval by the commissioner of veterans affairs and the legislative advisory commission,”

Page 3, line 7, after “ways” insert “, but in the priority listed”

Page 3, line 8, delete “at a minimal cost”

Page 3, line 9, after “agency” insert “for the full market value”

Page 3, line 10, after “only” insert “, with priority given to a local gov-

ernment agency”

Page 4, line 8, delete “197.13;”

Page 4, line 8, after “197.15;” insert “and” and after “197.16” delete the semicolon

Page 4, line 9, delete everything before “are”

Page 4, line 11, delete “Sections 1 to 5 are” and insert “This act is”

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 6, after the semicolon, insert “amending Minnesota Statutes 1982, section 197.13;”

Page 1, line 8, delete “197.13;”

Page 1, line 9, after “197.15;” insert “and”

Page 1, line 9, delete “; 197.17; 197.18; and 197.19”

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

Mr. Hughes from the Committee on Elections and Ethics, to which was referred

S.F. No. 246: A bill for an act relating to elections; exempting candidates for soil and water conservation supervisor from payment of filing fees; amending Minnesota Statutes 1982, section 204B.11, subdivision 1.

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

Page 1, line 22, strike “and”

Page 1, line 23, after “\$50” insert “; and

(e) For the office of soil and water conservation district supervisor, \$20”

Page 1, lines 24 and 25, delete the new language

Amend the title as follows:

Page 1, line 2, delete “exempting” and insert “reducing the filing fee for”

Page 1, lines 3 and 4, delete “from payment of filing fees”

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

Mr. Hughes from the Committee on Elections and Ethics, to which was referred

S.F. No. 34: A bill for an act relating to elections; requiring representation of unorganized townships in appointment of election judges by certain county boards; amending Minnesota Statutes 1982, section 204B.21.

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

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

S.F. No. 884: A bill for an act relating to metropolitan transit; regulating eligibility for certain programs; requiring bidding on certain routes; regulating fares and fare policy; extending debt authority; providing for an evaluation; appropriating money; amending Minnesota Statutes 1982, sections 174.265, subdivisions 3 and 4; 473.408, subdivisions 2 and 3; 473.436, subdivision 5; proposing new law coded in Minnesota Statutes, chapter 473.

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 174.265, subdivision 4, is amended to read:

Subd. 4. [ASSISTANCE FOR TRANSIT SERVICE.] An application for financial assistance for ~~replacement~~ transit services shall: describe the existing service, *if any*, provided to the applicant by the metropolitan transit commission, including the estimated number of passengers carried and the routes, schedules, and fares; describe the transit service proposed for funding under the demonstration program, including the anticipated number of passengers and the routes, schedules, and fares; and indicate the total amount of available local transit funds, the portion of the available local transit funds proposed to be used to subsidize ~~replacement~~ services, and the amount of state assistance requested for the ~~replacement~~ services. Financial assistance shall be granted under this subdivision to an applicant community ~~served by the metropolitan transit commission at the time of application~~ only if the commissioner determines: (a) that the service proposed for funding is intended and designed to replace and substitute for ~~the any~~ service provided by the commission at the time of application ~~and~~; (b) that the average subsidy per passenger per route for ~~the any~~ replacement service will not exceed the *average* subsidy per passenger per route ~~standard as adopted by the commission in its current transportation development program~~. Financial assistance shall be granted under this subdivision to an applicant community ~~not served by the commission at the time of the application~~ only if the commissioner determines that the average subsidy per passenger per trip for the service proposed for funding will not exceed the subsidy per passenger per trip ~~standard as adopted by the commission in its current transportation development program~~ during the six months preceding the application on the routes which serve the applicant communities; and (c) that the average subsidy per passenger for any new service will not exceed guidelines established by the commissioner. The amount of financial assistance provided for replacement service under this subdivision shall not exceed the sum of: (a) the portion of the available local transit funds which the applicant proposes to use to subsidize the service, and (b) an amount of state assistance bearing an identical proportional relationship to the amount under (a) as the total amount of state assistance available to the metropolitan transit commission under section 174.24, subdivision 3a bears to the total amount of taxes collected by the

commission under section 473.446, subdivision 1, clauses (a) to (c). The commissioner shall transfer the amounts provided to the recipient from the assistance available to the metropolitan transit commission pursuant to section 174.24, subdivision 3.

Sec. 2. [473.407] [CONTRACTS FOR SERVICE.]

At least 60 days before reducing service levels by eliminating any routes, the commission shall publish notice of its intent to accept sealed bids to provide the service planned to be eliminated. The notice shall be published in appropriate trade journals and newspapers of general circulation in the metropolitan area and the state. The commission shall also solicit sealed bids by sending notices by mail to all prospective bidders known to it, and by posting notice on a public bulletin board in its offices. The bids shall include a description of the service to be provided, the cost of the service, the public subsidy required, and the other requirements the chairman of the commission deems appropriate. The operating company under contract to the commission under section 473.405, subdivision 2, to provide the service planned to be eliminated shall be required to submit a bid. The bids shall be opened in public at the hour stated in the notice. The commission shall award a contract to provide the service and receive the requested subsidy to the qualified bidder requiring the least public subsidy, taking into consideration conformance with the specifications, terms, and other conditions imposed in the call for bids, but if the bidder requiring the least subsidy is the operator already under contract to the commission to provide the service, or if the lowest bid is less than ten percent lower than the operator already under contract, the commission may eliminate the service as planned. A record shall be kept, open to public inspection, of all bids, with the names of bidders and the amounts of bids, and with the successful bid indicated.

Sec. 3. Minnesota Statutes 1982, section 473.408, subdivision 2, is amended to read:

Subd. 2. [FARE POLICY.] Fares and fare collection systems shall be established and administered to accomplish the following purposes:

(a) To encourage and increase transit and paratransit ridership with an emphasis on regular ridership;

(b) To restrain increases in the average operating subsidy per passenger;

(c) To ensure that no riders on any route pay more in fares than the average cost of providing the service on that route;

(d) To ensure that operating revenues are proportioned to the cost of providing the service so as to reduce any disparity in the *total capital and operating* subsidy per passenger on routes and runs in the transit system; ~~and~~

(e) To implement the social fares as set forth in subdivision 3.

Sec. 4. Minnesota Statutes 1982, section 473.408, is amended by adding a subdivision to read:

Subd. 2a. [BASE FARE.] The base fare of the metropolitan transit commission shall be established by the commission in accordance with the provisions of this section and the policies of the commission, the restrictions in Laws 1981, chapter 363, section 55, subdivision 1 to the contrary notwith-

standing. The commission shall not increase the base fare in any passenger category more than 15 cents in any calendar year.

Sec. 5. Minnesota Statutes 1982, section 473.436, subdivision 5, is amended to read:

Subd. 5. [BUS PURCHASES AND OTHER IMPROVEMENTS.] In addition to obligations outstanding on January 1, ~~1980~~ 1983, the commission may issue certificates of indebtedness, bonds or other obligations in an amount not exceeding ~~\$9,000,000~~ \$12,000,000 for the purposes of purchasing buses and related equipment, and constructing maintenance and other buildings, bus shelters and road related improvements.

Sec. 6. Minnesota Statutes 1982, section 473.446, subdivision 1, is amended to read:

Subdivision 1. [TAXATION WITHIN TRANSIT TAXING DISTRICT.] For the purposes of sections 473.401 to 473.451 and the metropolitan transit system, ~~except as otherwise provided in this subdivision~~ the metropolitan transit commission shall levy each year upon all taxable property within the metropolitan transit taxing district, defined in subdivision 2, a transit tax ~~consisting of:~~ in accordance with this subdivision. ~~The commission shall establish three transit taxing districts based on the ratio of the level of transit service received by a district to the level of transit service provided in the entire transit taxing district. A district may include properties that are not contiguous to one another. The transit tax shall be levied in the districts as follows:~~

(a) District A: An amount equal to ~~two~~ 1.0 mills times the assessed value of all such property; ~~the proceeds of which shall be used for payment of the expenses of operating transit and paratransit service in the district;~~

(b) District B: An amount equal to 1.5 mills times the assessed value of all property in the district;

(c) District C: An amount greater than 1.5 and up to and including 2.0 mills times the assessed value of all property in the district.

The proceeds of the levy shall be used for payment of the expenses of operating transit and paratransit services. In addition, the commission shall levy, at an equal rate throughout the transit taxing district, the following:

~~(b)~~ (a) An additional amount, if any, as the commission determines to be necessary to provide for the full and timely payment of its certificates of indebtedness and other obligations outstanding on July 1, 1977, to which property taxes under this section have been pledged; and

(e) (b) An additional amount necessary to provide full and timely payment of certificates of indebtedness, bonds, or other obligations issued pursuant to section 473.436 for purposes of acquisition and betterment of property and other improvements of a capital nature and to which the commission has specifically pledged tax levies under this clause.

~~In any statutory or home rule charter city or town in the metropolitan transit taxing district which is receiving financial assistance under section 174.265, the commission shall levy a tax equal to ten percent of the sum of levies provided for in clauses (a) to (e), plus a levy sufficient to yield the amounts of~~

available local transit funds transferred pursuant to section 174.265 from the state assistance available to the commission, less any amount paid to the commission by the city or town under a contract for service entered into pursuant to subdivision 2.

Sec. 7. Minnesota Statutes 1982, section 473.446, subdivision 1a, is amended to read:

Subd. 1a. [TAXATION WITHIN TRANSIT AREA.] For the purposes of sections 473.401 to 473.451, and the metropolitan transit system, the metropolitan transit commission shall levy upon all taxable property within the metropolitan transit area but outside of the metropolitan transit taxing district, defined in subdivision 2, a transit tax, which shall be equal to ten percent of the sum of the levies provided in district C under subdivision 1, clauses (a) to (e). The proceeds of this tax shall be used only for paratransit services or ride sharing programs designed to serve persons located within the transit area but outside of the transit taxing district.

Sec. 8. Minnesota Statutes 1982, section 473.446, subdivision 3, is amended to read:

Subd. 3. [CERTIFICATION AND COLLECTION.] On or before October 10 in each year the commission shall certify the total amount of the tax levied in each district pursuant to subdivision 1 to the auditor of each metropolitan county. Each county auditor shall then assess and extend upon the tax rolls in each district in his county that proportion of the tax which the assessed value of taxable property in the district in his county bears to the assessed value of all taxable property in the district in the metropolitan area. Each county treasurer shall collect and make settlement of such the taxes with the treasurer of the commission. The levy of transit taxes pursuant to this section shall not affect the amount or rate of taxes which may be levied by any county or municipality or by the commission for other purposes authorized by law and shall be in addition to any other property tax authorized by law.

Sec. 9. [TEMPORARY LEGISLATIVE STUDY COMMISSION ON METROPOLITAN TRANSIT.]

Subdivision 1. [CREATION; MEMBERSHIP.] There is created a temporary legislative study commission on metropolitan transit, consisting of five members of the house of representatives and five members of the senate, named by the customary appointing authority in each house. Two members from each legislative body must be from districts outside of the metropolitan area. Members shall be compensated in the same manner and amount as for other legislative service.

Subd. 2. [ORGANIZATION; STAFF.] The commission shall choose a chairperson and other officers as necessary. Staff and administrative support for the commission shall be provided by existing legislative service offices.

Subd. 3. [STUDY.] The commission shall evaluate:

(a) the objectives of the metropolitan transit commission established for the seven-county metropolitan area, and its effectiveness in achieving the purposes established by the legislature;

(b) the powers, responsibilities, and external accountability of the transit commission;

(c) the internal structure of the transit commission, including the contractual relationship with the management company;

(d) governmental arrangements for transit planning and development in the metropolitan area, including the relationship with the department of transportation, the metropolitan council, and the transportation advisory board;

(e) the proper role of the transit commission in the governance, regulation, and coordination of transit and other public transportation services in the metropolitan area;

(f) the financing of public transit in the metropolitan area, including fare structures and sources and amounts of subsidy.

Subd. 4. [REPORT.] The commission shall submit a report of its findings and recommendations to the legislature by February 1, 1984.

Sec. 10. [TRANSIT ASSISTANCE.]

Subdivision 1. [APPROPRIATION.] The sums of \$21,030,900 for fiscal year 1984 and \$21,030,900 for fiscal year 1985 are appropriated from the general fund to the commissioner of transportation to be disbursed in accordance with this section. The actual line item amounts shall be detailed on the worksheets of the appropriate standing committees of the senate and house of representatives, a true copy of which is on file in the office of the commissioner of transportation. The appropriation shall be available for the purpose of providing the following:

(a) metropolitan transit commission operating grants;

(b) metropolitan transit commission social fares;

(c) metropolitan transit commission project mobility;

(d) metro mobility projects;

(e) metro mobility control center;

(f) private operators—metropolitan area;

(g) non-metropolitan transit commission operating assistance statewide.

Sec. 11. [EFFECTIVE DATE.]

Sections 2 to 8 are effective the day following final enactment in the counties of Anoka, Carver, Dakota, Hennepin, Ramsey, Scott, and Washington."

Delete the title and insert:

"A bill for an act relating to metropolitan transit; regulating eligibility for transit service assistance; requiring bidding on certain routes; regulating fares and fare policy; extending debt authority; providing for the establishment of transit taxing districts; establishing a legislative study commission on transit; appropriating money; amending Minnesota Statutes 1982, sections 174.265, subdivision 4; 473.408, subdivision 2, and by adding a subdivision; 473.436, subdivision 5; and 473.446, subdivisions 1, 1a, and 3; proposing new law coded in Minnesota Statutes, chapter 473."

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

S.F. No. 464: A bill for an act relating to port authorities; providing for approval of port authority land sales; amending Minnesota Statutes 1982, section 458.17.

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

Page 2, line 26, delete "*a majority*" and insert "*two-thirds*"

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

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

S.F. No. 463: A bill for an act relating to port authorities; authorizing revenue bond financing of certain facilities; eliminating the interest rate limit on revenue bonds and authorizing private sale; clarifying contractual and operational authority of port authorities; amending Minnesota Statutes 1982, sections 458.192, subdivisions 1, 4, and by adding a subdivision; 458.194, subdivisions 2, 3, and by adding a subdivision; and 458.195, by adding a subdivision.

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. 823: A bill for an act relating to cities; authorizing the issuance of capital notes for certain equipment acquisitions; proposing new law coded in Minnesota Statutes, chapter 410.

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

Page 1, line 16, delete "*certificates*" and insert "*notes*" in both places

Page 1, line 20, delete "*three percent of the total budget*" and insert "*one-tenth of one percent of the assessed value of the city*"

Page 1, line 24, delete "*five-sevenths*" and insert "*two-thirds*"

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

S.F. No. 746: A bill for an act relating to counties; permitting counties to issue notes to finance purchase of necessary capital equipment; amending

Minnesota Statutes 1982, section 373.01, by adding a subdivision.

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

Page 1, line 17, after "notes" insert "*in accordance with section 475.61,*"

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

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

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

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

Page 2, line 34, after "labor," insert "agriculture,"

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

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

S.F. No. 509: A bill for an act relating to retirement; highway patrol; restating the definition of average monthly salary; amending Minnesota Statutes 1982, section 352B.08, subdivision 2.

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

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

S.F. No. 719: A bill for an act relating to retirement; making various administrative and clarifying amendments to laws governing the Minnesota state retirement system and other retirement plans administered by the system; amending Minnesota Statutes 1982, sections 352.01, subdivisions 11, 16, and 17; 352.021, subdivision 5; 352.113, subdivisions 2, 4, and 6; 352.115, subdivision 8; 352.12, subdivisions 3, 4, and 10; 352.15, subdivision 1; 352.22, subdivision 3; 352.93, subdivision 1; 352.95, subdivisions 4 and 5; 352B.01, subdivisions 3, 9, and 10; 352B.02, subdivision 1; 352B.03, subdivision 2; 352B.05; 352B.07; 352B.071; 352B.08, subdivision 1; 352B.105; 352B.11, subdivisions 1, 4, and by adding a subdivision; 352B.30, subdivision 1; 352D.015, subdivision 9; 352D.02, subdivision 3; 352D.04, subdivision 1; and 490.124, subdivision 1; proposing new law coded in Minnesota Statutes, chapter 352B; repealing Minnesota Statutes 1982, sections 352.041, subdivision 6; 352.115, subdivisions 4 and 5; 352.118; 352.1191; 352.22, subdivision 4; 352.71; 352.93, subdivisions 5 and 6; 352B.01, subdivision 8; 352B.02, subdivision 2; 352B.06; 352B.13; 352B.261; and 352B.262.

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

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

S.F. No. 871: A bill for an act relating to government operations; requiring a review of certain capital improvement programs; requiring reports and capital improvement plans; expanding the scope of the capital budget.

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

Page 2, line 26, after “*bridges,*” insert “*railways, waterways,*”

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

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

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

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

Delete everything after the enacting clause and insert:

“Section 1. [TITLE.]

Sections 1 to 20 may be cited as the Omnibus Energy Policy Act.

Sec. 2. Minnesota Statutes 1982, section 16.02, is amended by adding a subdivision to read:

Subd. 29. To contract to purchase by installment payments equipment intended to improve the energy efficiency of a state building or facility provided that:

(a) The term of the contract does not exceed five years;

(b) The contract for purchase is based on competitive bids; and

(c) The state may unilaterally cancel the agreement if the legislature fails to appropriate funds to continue the contract.

Sec. 3. Minnesota Statutes 1982, section 116J.27, subdivision 2, is amended to read:

Subd. 2. For the purposes of subdivisions 3 to 7, the following terms shall have the meanings given them.

(a) “Residence” means any dwelling for habitation either seasonally, meaning all or a portion of the months of ~~December~~ November through ~~March~~ April, or permanently by one or more persons. A residence ~~may be~~

owned or rented and may be part of a multi-dwelling or multi-purpose building, but shall not include buildings such as hotels, hospitals, motels, dormitories, sanitariums, nursing homes, schools and other buildings used for educational purposes, or correctional institutions. A manufactured home as defined in section 168.011, subdivision 8, shall be a residence for purposes of this section.

(b) "Time of sale" means the time when a written purchase agreement is executed by the buyer, or, in the absence of a purchase agreement, at the time of the execution of any document providing for the conveyance of a residence.

(c) "Energy disclosure report" means the written and signed evaluation by a person certified pursuant to subdivision 6 made on an approved form, representing to the actual buyer of the residence evaluated that the evaluator has used reasonable care and diligence. For purposes of subdivisions 5 and 7, a residential energy audit meeting the audit standards of 42 U.S.C. 8211 et seq. may be substituted for an energy disclosure report.

(d) "Applicable energy efficiency standards" means those standards established under subdivision 1 which are not shown to be economically infeasible for the building in question.

Sec. 4. Minnesota Statutes 1982, section 116J.27, subdivision 6, is amended to read:

Subd. 6. [BUILDING EVALUATORS.] The commissioner shall certify evaluators in each county of the state who are qualified to determine the compliance of a residence with applicable energy disclosure requirements *efficiency standards*. The commissioner shall, by rule pursuant to chapter 14, adopt standards for the certification and performance of evaluators and set a fee for the certification of evaluators which is sufficient to cover the ongoing costs of the program once it is established. The commissioner shall encourage the certification of existing groups of trained municipal personnel and qualified individuals from community-based organizations and public service organizations. Each certified evaluator shall, on request of the owner, inspect any residence and report the degree to which it complies with applicable energy disclosure requirements *efficiency standards established pursuant to subdivision 1*. The inspections shall be made within 30 days of the request. After July 1, 1981, evaluators for the home energy disclosure program shall be certified only if they also meet all requirements for conducting residential energy audits pursuant to 42 U.S.C. 8211 et seq. Any person certified as a building evaluator prior to July 1, 1981, shall, by January 1, 1982, meet the upgraded certification standards in effect after July 1, 1981. The commissioner shall enter into an agreement with the department of education for the provision of evaluator training through the area vocational technical institutes. The commissioner may contract with the area vocational technical institutes to reduce the training costs to the students. The commissioner may eliminate the examination fee for persons seeking upgraded certificates. The commissioner may also establish requirements for continuing education, periodic recertification, and revocation of certification for evaluators.

Sec. 5. Minnesota Statutes 1982, section 116J.27, is amended by adding a subdivision to read:

Subd. 9. The commissioner shall develop and implement a voluntary home

energy rating system for the purpose of providing the buyer of a new home with information indicating the predicted energy performance of the dwelling. Development of the rating system shall incorporate the comments and opinions of relevant private sector interests. The system shall be available for use by January 1, 1985.

Sec. 6. Minnesota Statutes 1982, section 116J.31, is amended to read:

116J.31 [ENERGY AUDITS.]

The commissioner, in cooperation with the director of consumer services, shall develop ~~the and administer state plan for the program~~ *programs* of energy audits of residential and commercial buildings *including those* required by 42 United States Code, Section 8211 et seq. *and section 8281*. The consumer services division and the attorney general are authorized to release information on consumer complaints about the operation of the program to the commissioner.

Sec. 7. Minnesota Statutes 1982, section 116J.36, is amended to read:

116J.36 [DISTRICT HEATING GRANTS AND LOANS.]

Subdivision 1. [POLICIES.] Developing and improving efficient and economical district heating systems is a public purpose for state and local financing and a proper function of state and local government. Climate and geography make a reliable, economic supply of energy essential for industrial, commercial, and residential heating. Imported supplies are increasingly costly, unreliable, and environmentally disadvantageous. District heating systems employing cogeneration techniques and innovative technology offer an important means of increasing the efficiency of Minnesota's energy systems and reducing the state's reliance on imported energy supplies. The combination of the large initial capital cost and investors' lack of familiarity with district heating has made the private market reluctant to provide the necessary capital for district heating projects. As a result, public leadership, cooperation, and aid are needed to demonstrate the feasibility of district heating systems by establishing economically viable municipal district heating systems as demonstration projects. Municipal district heating systems may be financed by loans from the state and from other sources available to municipalities.

Subd. 2. [DEFINITIONS.] In this section:

(a) "Construction costs" means all costs associated with the construction, modification or expansion of a district heating system except for preliminary planning costs and detailed design costs. Construction costs include the cost of debt service from the time a construction loan is made until five years after the beginning of the operation of the district heating system constructed or the part of the system being modified or expanded.

(b) "District heating" means the use of a central energy conversion facility to produce hot water or steam for a district heating system. District heating facilities may also produce electricity in addition to hot water or steam.

(c) "Municipality" means any county, city, town, municipal power agency, or public utility, as defined in section 452.01, subdivision 3, owned and operated by a city, however organized or nonprofit corporation organized pursuant to the provisions of chapter 317 whose membership is lim-

ited to the mayor and governing body of the city in which the district heating system is located.

(d) "District heating system" means any existing or proposed facility for (1) the production, through cogeneration or otherwise, of hot water or steam to be used for district heating, or (2) the transmission and distribution of hot water or steam for district heating either directly to heating consumers or to another facility or facilities for transmission and distribution, or (3) any part or combination of the foregoing facilities.

Subd. 3. [ELIGIBILITY.] The commissioner of finance, upon request of the governor, may make loans to municipalities for the acquisition, construction, expansion, or modification of district heating systems. A loan shall be made only to a municipality that has demonstrated that:

(a) The municipality has the financial capability to sponsor the project;

(b) The project is technologically feasible;

(c) The district heating project will become a cogeneration facility or the project will utilize hot water or, if the project involves an existing district steam heating system, the project will become integrated with a hot water district heating system, or the project will allow the use of nonpetroleum fuels or will construct an efficient heat transmission system; and

(d) The municipality has made adequate provision to assure proper and efficient operation and maintenance of the project after construction is completed.

Subd. 3a. [GRANT ELIGIBILITY.] The commissioner of energy, planning and development may provide planning grants to municipalities for planning related to the development of district heating systems. The municipality must demonstrate that a community heatload survey and map have been successfully completed, that potential district heating load is sufficiently large to justify further consideration, and that sufficient resources are available for the municipality to meet its financial requirements. Eligible planning grant costs include project definition, development of preliminary financing and distribution system plans, and obtaining commitment for detailed planning or design and preparation of a final report. The amount of a grant shall be limited to 90 percent of eligible planning costs and shall not exceed \$75,000.

Subd. 4. [PRIORITIES.] The commissioner of energy, planning and development shall give higher priority to a project that does more to achieve the following goals:

(a) The district heating conversion facility employs cogeneration techniques;

(b) The facility uses renewable or nonpetroleum sources of energy;

(c) The district heating facility will save petroleum or natural gas;

(d) The operation of the district heating facility will not have an adverse impact on the environment;

(e) The district heating facility may readily be expanded to serve additional customers or to supply additional amounts of energy, and market demand for the energy exists;

(f) The project has obtained additional financing from the federal government, private sources, or other sources of capital; and

(g) Other goals the commissioner of energy, planning and development finds desirable for district heating systems.

Subd. 5. [APPLICATION.] Application for a loan to be made pursuant to subdivision 6 shall be made by a municipality to the commissioner of energy, planning and development on a form prescribed by the commissioner of energy, planning and development by rule. The commissioner of energy, planning and development shall review each application and determine:

- (a) Whether or not the project is eligible for a loan;
- (b) The priority of the project when ranked with all other eligible projects for which a loan application has been submitted;
- (c) The total estimated cost of the project;
- (d) The amount of the loan for which the project is eligible;
- (e) The terms upon which the loan would be made; and
- (f) The means by which the municipality proposes to finance the project, including:
 - (1) A loan authorized by state law; or
 - (2) A grant of money appropriated by state law; or
 - (3) A grant to the municipality by an agency of the federal government within the amount of money then appropriated to that agency and allocated by it to projects within the state; or
 - (4) The appropriation of proceeds of bonds or other money of the municipality to an account for the construction of the project; or
 - (5) User charges, franchise fees, special assessments or taxes; or
 - (6) Any or all of the means referred to in clauses (1) to (5).

Subd. 6. [LOANS.] Upon the recommendation of the governor pursuant to subdivision 8, the commissioner of finance shall make loans to municipalities on the following terms:

(a) In the case of loans for design costs, the maximum amount of the loan shall be limited by the provisions of this clause. For cities of the first class, the amount of the loan shall not exceed 40 percent of the design costs. For cities of the second, third and fourth class, the amount of the loan shall not exceed 90 percent of the design costs;

(b) In the case for loans for construction costs, a municipality must demonstrate that all design activities have been completed; that the project is economically and technologically feasible; that the district heating system will be constructed, and that it has made adequate provisions to assure proper and efficient operation and maintenance of the project. For cities of the first class, the amount of the loan shall be up to 50 percent of the construction costs. For cities of the second class, the amount of the loan shall be up to 80 percent of the construction costs. For cities of the third or fourth class, the amount of the loan shall be up to 90 percent of the construction

costs.

(c) A loan made pursuant to this section is repayable over a period of 20 years, with interest payments beginning the first year. Interest shall accrue from the date of the loan at a rate of interest assigned at the date of loan commitment. Principal payments shall begin in the sixth year after the receipt of the loan on a 25 year level payment schedule with the balance of the principal to be retired with the payment due 20 years after receipt of the loan.

Subd. 7. [MODERN STEAM SYSTEMS.] (a) A municipality which has operating within its boundaries a modern steam district heating system owned by a district heating utility may apply for a loan or grant under this section even though the district heating project for which the loan or grant application is made may be planned, constructed, or owned by a district heating utility. The loan or grant application shall be treated in the same manner as loan or grant applications for district heating projects where the projects are to be planned, constructed, or owned by a municipality.

All or a portion of the proceeds of a loan made to a municipality described in this subdivision may be used to make loans to a district heating utility to provide financial assistance for the planning, modification, expansion or construction of a district heating project. Prior to making the loan to the district heating utility, the municipality shall:

(1) Adopt a district heating plan which identifies the areas of the city to be served by district heating; a time schedule indicating when service would be available in different areas of the city and the type of service to be offered; and

(2) Enter into a written agreement with the district heating utility which includes a requirement that the district heating utility restrict expansion of its existing steam system within its current geographic boundaries as determined by the municipality and develop a hot water system on a specific time schedule.

(b) The powers, authority and obligations granted to a municipality under this subdivision are supplemental to the powers, authority and obligations granted all municipalities under this section.

(c) As used in this subdivision, "modern steam district heating system" means a steam district heating system with condensate return built after 1970 and before May 30, 1981. "District heating utility" means any person, corporation, or other legal entity which owns or operates or plans to own or operate a district heating system. "District heating project" means a new district heating system, or the expansion or modification of the existing modern steam district heating system.

Subd. 8. [LOAN APPROVAL.] The commissioner of energy, planning and development shall prepare and submit to the legislative advisory commission a list of district heating loan requests. The list shall contain the supporting information required by subdivisions 3, 4, 5, 6, and 7. The recommendation of the legislative advisory commission shall be transmitted to the governor. The governor shall approve or disapprove, or return for further consideration, each project recommended for approval by the legislative advisory commission. Loans may be disbursed only upon approval by

the governor.

Subd. 9. [PAYMENT; OBLIGATION.] The commissioner of finance shall not pay money to a municipality pursuant to an approved loan until he has determined that:

(a) Financing of the project as proposed by the municipality is assured by an irrevocable undertaking, by resolution of the governing body of the municipality, to use all money made available by the financing plan exclusively for the eligible costs of the project, and to pay any additional amount by which the cost of the project exceeds the estimate by the appropriation to the construction account of additional municipal money or the proceeds of additional bonds to be issued by the municipality; and that

(b) The governing body of the municipality has adopted a resolution obligating the municipality to repay the loan according to the terms in the loan. The obligation may be payable from user charges, franchise fees, special assessments or other money available to the municipality. The resolution shall obligate the municipality to annually impose and collect user charges, franchise fees, special assessments, or to use any other money available to it from any other specified source, in amounts and at times that if collected in full will annually produce at least five percent in excess of the amount needed for all annual costs of the system, including annual repayment on state loans. A municipality may also pledge to levy an ad valorem tax to guarantee the payments under the loan agreement. For the purpose of repaying the loan, the municipality by resolution of its governing body may fix the rates and charges for district heating system service and products, may enter into contracts for the payment by others of costs of construction, maintenance, and use of the project in accordance with section 444.075 and may pledge the revenues derived therefrom. The commissioner of finance shall condition a loan upon the establishment of rates and charges or the execution of contracts sufficient to produce annually the revenues pledged for repayment of all annual costs of the system, including annual repayment of the state loan.

Subd. 10. [RECEIPTS.] All principal and interest payments received by the commissioner of finance in repayment of the loans authorized by this section shall be deposited in the state treasury and credited to the state bond fund and are appropriated to the commissioner of finance for the purposes of that account.

Subd. 11. [RULES.] The commissioner of energy, planning and development shall adopt rules necessary to carry out this section. The commissioner of energy, planning and development shall adopt temporary rules pursuant to sections 14.29 to 14.36, meeting the requirements of this section. The rules shall contain as a minimum:

- (a) Procedures for application by municipalities; and
- (b) Criteria for reviewing grant and loan applications.

Sec. 8. [116J.37] [ALTERNATIVE ENERGY ECONOMIC ANALYSIS.]

The commissioner shall carry out the following energy economic analysis duties:

- (a) provide continued analysis of alternative energy issues for the biennial*

report, certificates of need, and legislative requests;

(b) provide alternative energy information to consumers and business;

(c) assist in the maintenance and improvement of alternative energy input-output multipliers and market penetration models;

(d) provide analysis of alternative energy data.

Sec. 9. [116J.371] [SURVEY OF STEAM TRAPS.]

The commissioner shall survey the steam traps in 100 state-owned buildings, to be selected by the commissioner of administration or his or her designee. The purpose of the survey is to assess the energy efficiency of current steam traps and to recommend repair or replacement of faulty steam traps.

Sec. 10. [116J.372] [ENERGY MANAGEMENT TRAINING PROGRAM.]

The commissioner shall establish a program to train state building operators in efficient energy management of state buildings, including the periodic review and maintenance of steam traps as a high priority. The commissioner shall document the energy savings from this program and make it available for use in other program areas, such as in local government buildings.

Sec. 11. [116J.373] [SUPERINSULATED HOME DEMONSTRATION PROJECT.]

The superinsulated home demonstration project funded under Laws 1981, chapter 356, section 30, shall be continued to monitor and document new projects and projects in progress. The project shall:

(a) work with the financial community to bring energy cost and savings into mortgage underwriting standards;

(b) develop a definition of superinsulation for use by financial institutions.

Sec. 12. [116J.38] [BUILDING ENERGY RESEARCH CENTER.]

Subdivision 1. [ENERGY PARTNERSHIP.] To improve the energy efficiency of buildings, the commissioner shall administer a building energy research center that shall be a partnership among the department of energy, planning and development, the university of Minnesota, and certain associations and businesses from the private sector. The center's goal is to become a nationally recognized center for building research.

Subd. 2. [PURPOSE.] The purpose of the building energy research center is to:

(a) conduct studies of actual Minnesota building experience;

(b) disseminate information acquired relating to building energy efficiency;

(c) conduct continuing education courses;

(d) provide limited energy and design consultation services for innovative projects;

(e) coordinate and stimulate research efforts; and

(f) seek private sector pledges to match the appropriation for this program as provided in section 20.

Sec. 13. [116J.39] [ENERGY BUSINESS DEVELOPMENT ASSISTANCE PROGRAM.]

The commissioner shall provide direct assistance to businesses that plan to begin or expand their operations into the area of energy. The assistance shall include:

(a) providing data currently collected by the state that relates to resources, markets, economics, demographics, loans, and business planning;

(b) performing a limited technical review of prototypes or processes;

(c) conducting a limited number of feasibility studies to assist business development; and

(d) conducting workshops, seminars, and other educational opportunities that relate to starting energy businesses or specific technical subjects.

Sec. 14. Minnesota Statutes 1982, section 216B.164, subdivision 2, is amended to read:

Subd. 2. [APPLICABILITY.] This section as well as any rules promulgated by the commission ~~pursuant to implement this section or the public utility regulatory policies act of 1978, Pub.L. 95-617, 92 Stat. 3117, and the federal energy regulatory commission regulations thereunder, 48 C.F.R. Code of Federal Regulations, title 18, part 292, shall apply to all Minnesota electric utilities, including cooperative electric associations and municipal electric utilities; that become interconnected with any qualifying facility as defined in 48 C.F.R. Section 292.101(b)(1).~~

Sec. 15. Minnesota Statutes 1982, section 216B.164, subdivision 3, is amended to read:

Subd. 3. [PURCHASES; SMALL FACILITIES.] *(a) For a qualifying facilities facility having less than 40 kilowatt capacity, the customer shall be billed for the net energy supplied by the utility according to the applicable rate schedule for sales to that class of customer. In the case of net input into the utility system by the a qualifying facility having less than 40 kilowatt capacity, compensation to the customer shall be at a per kilowatt hour rate set by the commission determined under paragraph (b) or (c) of this subdivision.*

(b) In setting these rates, the commission shall consider the fixed distribution costs to the utility not otherwise accounted for in the basic monthly charge and shall ensure that the costs charged to the qualifying facility are not discriminatory in relation to the costs charged to other customers of the utility. Notwithstanding any other language to the contrary in this section, The commission shall set the rates for net input into the utility system based on avoided costs as defined in 48 C.F.R. the Code of Federal Regulations, title 18, section 292.101(b)(6), the factors listed in 48 C.F.R. Code of Federal Regulations, title 18, section 292.304, and all other relevant factors.

(c) Notwithstanding any provision in this chapter to the contrary, a qualifying facility having less than 40 kilowatt capacity may elect that the compensation for net input by the qualifying facility into the utility system shall be

at the average retail utility energy rate. "Average retail energy rate" is defined as the average of the retail energy rates, exclusive of special rates based on income, age, or energy conservation, according to the applicable rate schedule of the utility for sales to that class of customer.

(d) If the qualifying facility is interconnected with a non-generating utility which has a sole source contract with a municipal power agency or a generation and transmission utility, the non-generating utility may elect to treat its purchase of any net input under this subdivision as being made on behalf of its supplier and shall be reimbursed by its supplier for any additional costs incurred in making the purchase. Qualifying facilities having less than 40 kilowatt capacity may, at the customer's option, elect to be governed by the provisions of subdivision 4.

(e) *No utility may be required to file information for the determination of avoided costs with the commission until:*

(i) *a qualifying facility has requested an interconnection or has actually interconnected with a utility; and*

(ii) *the utility or the qualifying facility having 40 or more kilowatt capacity proposes that the rate to be paid by the utility upon purchase of electric power from a qualifying facility be fixed by reference to avoided costs rather than the average retail energy rate as provided in clause (c).*

If the proposal in clause (ii) is made by a qualifying facility, the qualifying facility shall make a preliminary showing that there is reasonable cause to believe that the rate determined by reference to avoided costs would exceed the average retail energy rate.

Sec. 16. Minnesota Statutes 1982, section 216B.164, subdivision 6, is amended to read:

Subd. 6. [RULES AND UNIFORM CONTRACT.] (a) The commission shall promulgate rules to implement the provisions of this section. *The commission shall also establish a uniform statewide form of contract for use between utilities and a qualifying facility having less than 40 kilowatt capacity.*

(b) *The commission shall require the qualifying facility to provide the utility with reasonable access to the premises and equipment of the qualifying facility only if the particular configuration of the qualifying facility precludes disconnection or testing of the qualifying facility from the utility side of the interconnection and only if the utility personnel are qualified to work on the qualifying facility's equipment.*

(c) *The uniform statewide form of contract shall be applied to all new and existing interconnections established between a utility and a qualifying facility having less than 40 kilowatt capacity except that existing contracts may remain in force until written notice of election that the uniform statewide contract form applies is given by either party to the other, with the notice being the shortest time period permitted under existing contract for termination of the existing contract by either party but not less than ten nor longer than 30 days.*

Sec. 17. Minnesota Statutes 1982, section 216B.164, subdivision 8, is amended to read:

Subd. 8. [CUSTOMER, INTERCONNECTION AND WHEELING CHARGES.] *(a) Utilities shall be required to interconnect with a qualifying facility that offers to provide available energy or capacity and that satisfies the requirements of this section. (b) Nothing contained in this section shall be construed to excuse the qualifying facility from any obligation for costs of interconnection and wheeling in excess of those normally incurred by the utility for customers with similar load characteristics who are not cogenerators or small power producers, or from any fixed charges normally assessed such nongenerating customers.*

Sec. 18. [216B.242] [INVERTED RATES.]

The commission may initiate a program designed to demonstrate the effect of inverted rates on promoting conservation by the residential customers of natural gas utilities. Any inverted rates ordered by the commission shall present customers with a tailblock price that, to the maximum extent practicable, reflects the replacement cost of gas. Total revenues collected from customers involved in this pilot program may not exceed those that would be collected under a flat rate. The commission may order two public gas utilities to implement a pilot program of inverted rates for residential customers and to monitor the effects of these rates on gas consumption, and on costs to residential customers. The programs shall include a sufficient number of residential customers to provide statistically significant conclusions regarding the effects and costs of inverted rates. The inverted rate schedules and monitoring plans shall be prepared in consultation with the energy division of the Minnesota department of energy, planning and development.

Sec. 19. Minnesota Statutes 1982, section 453.54, is amended by adding a subdivision to read:

Subd. 7a. It may invest in various technologies at any one time to minimize long-run costs of providing electrical services to consumers. These investments include energy conservation measures and renewable resources.

Sec. 20. [APPROPRIATIONS.]

Subdivision 1. The sum of \$..... is appropriated from the general fund to the department of energy, planning and development for staff and program costs of the steam trap survey program under section 9.

Subd. 2. The sum of \$..... is appropriated from the general fund to the department of energy, planning and development to operate the energy management training program under section 10. Included in this sum is money for the energy efficiency training of 800 building operators.

Subd. 3. The sum of \$..... is appropriated from the general fund to the department of energy, planning and development to hire one complement and to fund the continuing superinsulated home demonstration project for two years, as provided in section 11.

Subd. 4. The sum of \$..... is appropriated from the general fund to the department of energy, planning and development to hire necessary staff, consultants, and equipment for the building energy research center as provided in section 12.

Subd. 5. The sum of \$..... is appropriated from the general fund to the department of energy, planning and development to carry out the energy

business development assistance program in section 13.

Subd. 6. The sum of \$..... is appropriated from the general fund to the department of energy, planning and development to fund the secondary phase of district heating planning for municipalities that have received district heating loans under section 116J.36. The sum of \$..... shall be used for five matching grants of \$..... each, as provided in section 116J.36, subdivision 3a; the remaining \$..... shall be used to pay for one complement position and administration.

Subd. 7. The sum of \$..... is appropriated from the general fund to the department of energy, planning and development to develop and market energy audits for multi-family and commercial buildings pursuant to section 6.

Sec. 21. [REPEALER.]

Minnesota Statutes 1982, section 116J.27, subdivisions 5 and 7, are repealed.

Sec. 22. [EFFECTIVE DATE.]

Section 18 is effective the day following final enactment."

Delete the title and insert:

"A bill for an act relating to energy; providing an omnibus energy policy; appropriating money; amending Minnesota Statutes 1982, sections 16.02, by adding a subdivision; 116J.27, subdivisions 2, 6, and by adding a subdivision; 116J.31; 116J.36; 216B.164, subdivisions 2, 3, 6, and 8; 453.54, by adding a subdivision; proposing new law coded in Minnesota Statutes, chapters 116J and 216B; repealing Minnesota Statutes 1982, section 116J.27, subdivisions 5 and 7."

And when so amended the bill do pass and be re-referred to the Committee on Public Utilities and State Regulated Industries. Amendments adopted. Report adopted.

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

H.F. No. 316 for comparison with companion Senate File, reports the following House File was found identical and recommends the House File be given its second reading and substituted for 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. |
| | | 316 | 287 | | |

and that the above 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. Report adopted.

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

H.F. No. 576 for comparison with companion Senate File, reports the following House File was found identical and recommends the House File be given its second reading and substituted for 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. |
| 576 | 534 | | | | |

and that the above 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. Report adopted.

SECOND READING OF SENATE BILLS

S.F. Nos. 681, 219, 204, 527, 391, 541, 692, 684, 529, 967, 682, 246, 34, 464, 463, 746, 509 and 719 were read the second time.

SECOND READING OF HOUSE BILLS

H.F. Nos. 316 and 576 were read the second time.

MOTIONS AND RESOLUTIONS

Mr. Ramstad moved that the name of Ms. Reichgott be added as a co-author to Senate Resolution No. 39. The motion prevailed.

Mr. Ramstad moved that the name of Ms. Reichgott be added as a co-author to Senate Resolution No. 40. The motion prevailed.

Mr. Novak moved that the name of Mr. Schmitz be added as a co-author to S.F. No. 884. The motion prevailed.

Ms. Reichgott moved that the name of Mr. Wegscheid be added as a co-author to S.F. No. 924. The motion prevailed.

Mr. Luther moved that the name of Mr. Pogemiller be added as a co-author to S.F. No. 966. The motion prevailed.

Mr. Dieterich moved that the name of Mr. Ramstad be added as a co-author to S.F. No. 977. The motion prevailed.

Mr. Wegscheid moved that the name of Ms. Reichgott be added as a co-author to S.F. No. 995. The motion prevailed.

Mr. Lessard introduced—

Senate Resolution No. 45: A Senate resolution congratulating the Broncos hockey team from International Falls High School for participating in the 1983 State High School Hockey Tournament.

Referred to the Committee on Rules and Administration.

CALENDAR

S.F. No. 369: A bill for an act relating to local government; providing for

the investment of debt service funds; amending Minnesota Statutes 1982, section 475.66, 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 64 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

S.F. No. 87: A bill for an act relating to public welfare; requiring reporting of abuse or neglect of children; exempting determinations of eligibility for day care and foster care licenses from application of the Minnesota criminal offenders rehabilitation law; requiring arrest information and reports to be made available to the commissioner of public welfare for the purpose of investigating applicants for a day care or residential facility license; establishing the burden of proof in certain appeals; providing for appointment of guardianship of children whose parents are deceased; clarifying investigative authority of welfare agencies in making mandated investigations of physical or sexual abuse and neglect; amending Minnesota Statutes 1982, sections 245.783, subdivision 3; 245.801, subdivision 4; 260.011, subdivision 2; 260.242, subdivision 2, and by adding a subdivision; 364.09; and 626.556, subdivisions 2, 4, 7, and 10.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 65 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

S.F. No. 218: A bill for an act relating to commitment of persons who are mentally ill, mentally retarded, or mentally ill and dangerous; requiring mental commitment proceedings for persons acquitted of a criminal charge pursuant to a verdict of not guilty by reason of mental illness or not guilty by reason of mental deficiency to be held in the court in which acquittal took place; modifying the burden of going forward with the evidence on the issues of mental illness, mental retardation, and mental illness and dangerousness in certain cases; amending Minnesota Statutes 1982, sections 253B.02, subdivision 4, and by adding subdivisions; 253B.07, subdivisions 1, 2, 3, and 7, and by adding a subdivision; 253B.08, subdivision 7; 253B.12, subdivision 4; 253B.18, subdivision 1; 253B.19, subdivision 1; 253B.21, subdivision 5; 253B.23, subdivision 7; and 611.026.

With the unanimous consent of the Senate, Mr. Freeman moved to amend S.F. No. 218 as follows:

Page 1, line 27, delete "*retardation*" and insert "*deficiency*"

Pages 8 and 9, delete section 15

Page 9, line 3, delete "16" and insert "15"

Amend the title as follows:

Page 1, line 17, after "5;" insert "and"

Page 1, line 18, delete "; and 611.026"

The motion prevailed. So the amendment was adopted.

S.F. No. 218: A bill for an act relating to commitment of persons who are mentally ill, mentally retarded, or mentally ill and dangerous; requiring mental commitment proceedings for persons acquitted of a criminal charge pursuant to a verdict of not guilty by reason of mental illness or not guilty by reason of mental deficiency to be held in the court in which acquittal took place; modifying the burden of going forward with the evidence on the issues of mental illness, mental retardation, and mental illness and dangerousness in certain cases; amending Minnesota Statutes 1982, sections 253B.02, subdivision 4, and by adding subdivisions; 253B.07, subdivisions 1, 2, 3, and 7, and by adding a subdivision; 253B.08, subdivision 7; 253B.12, subdivision 4; 253B.18, subdivision 1; 253B.19, subdivision 1; 253B.21, subdivision 5; and 253B.23, subdivision 7.

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

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

The roll was called, and there were yeas 65 and nays 0, as follows:

Those who voted in the affirmative were:

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

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

CONSENT CALENDAR

S.F. No. 356: A bill for an act relating to driver's licenses; requiring examination of applicants' knowledge of the effects of alcohol and drugs on drivers; amending Minnesota Statutes 1982, section 171.13, 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 66 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

S.F. No. 854: A bill for an act relating to commerce; providing for the filing and recording of mortgages and deeds of trust of pipeline companies; amending Minnesota Statutes 1982, section 300.115.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 66 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

S.F. No. 708: A bill for an act relating to the court system; removing obsolete references to justice of the peace and magistrate; amending Minnesota Statutes 1982, sections 72A.12, subdivision 5; 72A.30; 88.645; 97.50, subdivisions 1 and 7; 115.32, subdivision 3; 127.09; 127.17, sub-

division 4; 144.12, subdivision 1; 168.46; 169.42, subdivision 5; 169.91; 169.95; 169.965, subdivision 3; 169.966, subdivision 3; 169.971, subdivision 4; 171.08; 171.16, subdivision 1; 181.09; 181.17; 219.32; 219.97, subdivision 13; 290.58; 297A.42, subdivision 2; 299F.40, subdivision 5; 340.85, subdivision 2; 340.91; 345.02; 345.03; 345.04; 345.05; 345.06; 345.14; 346.03; 346.04; 346.09, subdivision 1; 347.04; 347.05; 347.06; 357.12; 357.16; 357.22; 357.27; 357.29; 358.15; 359.061; 359.11; 361.27, subdivision 2; 365.52; 366.20; 367.11; 367.25, subdivision 1; 368.01, subdivision 20; 373.09; 375.24; 390.15; 390.20; 390.31, subdivision 2; 390.33, subdivisions 2 and 6; 395.23; 412.02, subdivision 1; 412.021, subdivision 2; 412.023, subdivision 5; 412.111; 412.861, subdivision 3; 473.608, subdivision 17; 485.07; 488A.021, subdivision 4; 488A.09, subdivision 7; 488A.19, subdivision 5; 490.18; 509.04; 514.29; 514.34; 542.05; 549.03; 550.17; 571.50; 571.58; 571.65; 574.20; 574.35; 588.01, subdivision 3; 588.02; 593.21; 609.27, subdivision 1; 609.415, subdivision 1; 609.66, subdivision 1; 611.07, subdivision 1; 611.17; 617.27; 624.62; 625.01; 625.02; 625.03; 625.04; 625.05; 625.06; 625.07; 625.08; 625.09; 625.10; 625.11; 625.12; 625.13; 625.14; 625.15; 625.17; 625.18; 626.04; 626.05, subdivision 1; 626.06; 626.09; 626.11; 626.14; 626.15; 626.17; 626.66; 629.03; 629.13; 629.14; 629.15; 629.16; 629.17; 629.18; 629.23, subdivision 3; 629.31; 629.36; 629.363; 629.364; 629.39; 629.401; 629.403; 629.41; 629.44; 629.45; 629.53; 629.54; 629.55; 629.60; 629.62; 630.17; 630.37; 631.04; 636.08; 641.07; 641.25; and 648.39, subdivision 3; repealing Minnesota Statutes 1982, sections 357.14; 357.15; 367.03, subdivision 4; 367.21; 388.02; 412.02, subdivision 5; 412.171; 487.01, subdivision 8; 488A.283; 488A.284; 492.02, subdivision 2; 542.15; 549.16; 599.21; 599.22; 599.23; 609.46; 629.56; 629.66; and 629.71.

With the unanimous consent of the Senate, Mr. Peterson, R.W. moved to amend S.F. No. 708 as follows:

Page 16, line 27, reinstate "shall" and delete "may"

Page 17, line 6, reinstate the stricken language

Page 17, line 7, delete the new language

The motion prevailed. So the amendment was adopted.

S.F. No. 708 was read the third time, as amended, and placed on its final passage.

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

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

Those who voted in the affirmative were:

| | | | | |
|-------------|----------------|------------|-----------------|-----------|
| Adkins | Dicklich | Kroening | Novak | Samuelson |
| Anderson | Dieterich | Kronebusch | Olson | Schmitz |
| Belanger | Frank | Laidig | Pehler | Sieloff |
| Benson | Frederick | 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 | Jude | Moe, D. M. | Ramstad | Waldorf |
| Davis | Kamrath | Moe, R. D. | Reichgott | Wegscheid |
| DeCramer | Knaak | Nelson | Renneke | |

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

H.F. No. 468: A bill for an act relating to education; authorizing the commissioner to approve one additional application for the part-time teaching program for fiscal year 1982 under certain conditions.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 66 and nays 0, as follows:

Those who voted in the affirmative were:

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

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:

H.F. No. 26, which the committee recommends to pass with the following amendments offered by Mr. Dahl:

Amend H. F. No. 26, the unofficial engrossment, as follows:

Page 3, after line 21, insert:

“(c) If the nonconformity results in a complete failure of the braking or steering system of the new motor vehicle and is likely to cause death or serious bodily injury if the vehicle is driven, it is presumed that a reasonable number of attempts have been undertaken to conform the vehicle to the applicable express warranties if the conformity has been subject to repair at least once by the manufacturer, its agents, or its authorized dealers within the express warranty term or during the period of one year following the date of original delivery of the motor vehicle to a consumer, whichever is the earlier date, and the nonconformity continues to exist.

(d)”

Page 3, line 26, after the period, insert:

“(e)”

Page 3, line 26, delete *“presumption”* and insert *“presumptions”*

Page 3, line 27, delete *“this section”* and insert *“ paragraph (b)”*

Page 3, line 33, after the period, insert:

“(f)”

The motion prevailed. So the amendment was adopted.

Mr. Dahl then moved to amend H.F. No. 26, the unofficial engrossment, as follows:

Page 4, after line 7, insert:

“*Subd. 4. [RESALE OF RETURNED MOTOR VEHICLE.] (a) If a motor vehicle has been returned under the provisions of subdivision 3, it may not be resold in this state unless:*

(1) the manufacturer provides the same express warranty it provided to the original purchaser, except that the term of the warranty need only last for 12,000 miles or 12 months after the date of resale, whichever is earlier; and

(2) the manufacturer provides the consumer with a written statement on a separate piece of paper, in ten point all capital type, in substantially the following form: “IMPORTANT: THIS VEHICLE WAS RETURNED TO THE MANUFACTURER BECAUSE IT DID NOT CONFORM TO THE MANUFACTURER’S EXPRESS WARRANTY AND THE NONCONFORMITY WAS NOT CURED WITHIN A REASONABLE TIME AS PROVIDED BY MINNESOTA LAW.”

The provisions of this section apply to the resold motor vehicle for full term of the warranty required under this subdivision.

(b) Notwithstanding the provisions of paragraph (a), if a new motor vehicle has been returned under the provisions of subdivision 3 because of a non-conformity resulting in a complete failure of the braking or steering system of the motor vehicle likely to cause death or serious bodily injury if the vehicle was driven, the motor vehicle may not be resold in this state.”

Renumber the subdivisions in sequence

Mr. Sieloff moved to amend the Dahl amendment to H.F. No. 26, the unofficial engrossment, as follows:

Page 1, line 6, delete the colon

Page 1, delete lines 7 to 10

Page 1, line 11, delete “(2)”

Page 1, delete lines 18 to 20

The question was taken on the adoption of the Sieloff amendment to the Dahl amendment.

The roll was called, and there were yeas 18 and nays 44, as follows:

Those who voted in the affirmative were:

| | | | | |
|-------------|--------------|----------------|----------------|--------|
| Benson | Frederickson | Laidig | Peterson, R.W. | Storm |
| Bernhagen | Isackson | McQuaid | Ramstad | Ulland |
| Chmielewski | Kamrath | Olson | Renneke | |
| Frederick | Kronebusch | Peterson, D.L. | Sieloff | |

Those who voted in the negative were:

| | | | | |
|----------|---------------|------------|----------------|-----------|
| Adkins | Dicklich | Knaak | Nelson | Schmitz |
| Anderson | Diessner | Kroening | Novak | Solon |
| Belanger | Dieterich | Langseth | Pehler | Spear |
| Berglin | Frank | Lantry | Peterson, C.C. | Stumpf |
| Bertram | Freeman | Lessard | Peterson, D.C. | Taylor |
| Brataas | Hughes | Luther | Pogemiller | Vega |
| Dahl | Johnson, D.E. | Mehrkens | Purfeerst | Waldorf |
| Davis | Johnson, D.J. | Merriam | Reichgott | Wegscheid |
| DeCramer | Jude | Moe, R. D. | Samuelson | |

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

The question recurred on the motion of Mr. Dahl.

The roll was called, and there were yeas 56 and nays 3, as follows:

Those who voted in the affirmative were:

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

Messrs. Kamrath, Sieloff and Ulland voted in the negative.

The motion prevailed. So the amendment was adopted.

Mr. Dahl then moved to amend H.F. No. 26, the unofficial engrossment, as follows:

Page 3, line 26, delete "*Except as provided below,*"

The motion prevailed. So the amendment was adopted.

The question was taken on the recommendation to pass H.F. No. 26.

The roll was called, and there were yeas 59 and nays 1, as follows:

Those who voted in the affirmative were:

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

Mr. Kamrath voted in the negative.

The motion prevailed. So H.F. No. 26 was recommended to pass.

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

INTRODUCTION AND FIRST READING OF SENATE BILLS

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

Messrs. Merriam, Pehler, Laidig, Schmitz and Ramstad introduced—

S.F. No. 1012: A bill for an act relating to waste management; amending the Hazardous Waste Management Act of 1980; providing for the evaluation of bedrock disposal of hazardous waste; providing for participation by private developers and operators of waste facilities in the evaluation of hazardous waste disposal sites; creating phases of environmental impact statements; expanding the definition of hazardous waste; extending the deadlines for the adoption of certain hazardous waste rules; extending certain deadlines of the metropolitan council; clarifying the contents of environmental impact statements; providing reports to counties on permit conditions and permit application requirements for county sites; amending Minnesota Statutes 1982, sections 115.071, subdivisions 2 and 3; 115A.03, subdivision 10; 115A.05, subdivisions 2 and 3; 115A.06, subdivision 4; 115A.08, subdivisions 4, 5, and 6; 115A.10; 115A.11, subdivisions 1 and 2; 115A.21; 115A.22, subdivisions 1, 3, 4, 6, and 7; 115A.24, subdivision 1; 115A.25, subdivisions 1, 2, 3, and by adding subdivisions; 115A.26; 115A.27, subdivision 2; 115A.28, subdivisions 1, 2, and 3; 115A.30; 115A.54, subdivision 2; 115A.67; 115A.70, subdivision 3; 116.06, subdivision 13; 116.07, subdivision 4; 116.41, subdivision 1a; 473.149, subdivisions 2b, 2c, 2d, 2e, and 4; 473.153, subdivisions 2, 5, 6, 6b, and by adding a subdivision; 473.803, subdivisions 1a and 1b; 473.823, subdivision 6; 473.831, subdivision 2; 473.833, subdivisions 2a, 3, 7, and by adding a subdivision; proposing new law coded in chapter 115A; repealing Minnesota Statutes 1982, sections 115A.23; 115A.27, subdivision 1; 116.07, subdivision 4c; and 116.41, subdivision 1.

Referred to the Committee on Agriculture and Natural Resources.

Messrs. DeCramer, Lessard, Schmitz, Ms. Peterson, D.C. and Mr. Storm introduced—

S.F. No. 1013: A bill for an act relating to the Minnesota veterans home; clarifying the treatment of assets for purposes of calculating maintenance charges; amending Minnesota Statutes 1982, section 198.03.

Referred to the Committee on Veterans and General Legislation.

Mr. Solon introduced—

S.F. No. 1014: A bill for an act relating to port authorities; providing for the term of service of certain members of port authorities; amending Minnesota Statutes 1982, section 458.10, subdivision 2.

Referred to the Committee on Local and Urban Government.

Mrs. Kronebusch, Messrs. Chmielewski, Storm, Frederickson and Spear

introduced—

S.F. No. 1015: A bill for an act relating to cemeteries; increasing the penalty for illegal molestation of human remains; requiring the state or political subdivision to obtain archaeologist services and to pay for removal of Indian burial grounds under certain circumstances; amending Minnesota Statutes 1982, section 307.08, subdivisions 2, 4, 8, and 10.

Referred to the Committee on Veterans and General Legislation.

Mr. Merriam, Ms. Reichgott, Messrs. Peterson, D.L.; Dahl and Langseth introduced—

S.F. No. 1016: A bill for an act relating to education; providing for hearings before an arbitrator in certain cases and for a school board to furnish a teacher with certain transcripts; eliminating certain hearings before a school board; requiring that probationary teachers be placed on unnegotiated, unrequested leave in the inverse order of their employment; amending Minnesota Statutes 1982, section 125.12, subdivisions 2, 3, 4, 6a, 6b, 8, 9, 10, and 11.

Referred to the Committee on Education.

Mr. Frank introduced—

S.F. No. 1017: A bill for an act relating to the legislature; regulating associations which may lobby the legislature; proposing new law coded in Minnesota Statutes, chapter 10A.

Referred to the Committee on Elections and Ethics.

Mr. Frank introduced—

S.F. No. 1018: A bill for an act relating to labor; protecting the rights of employees of associations; proposing new law coded in Minnesota Statutes, chapter 181.

Referred to the Committee on Employment.

Mr. Frank introduced—

S.F. No. 1019: A bill for an act relating to commerce; regulating finance charges imposed on open end credit sales; amending Minnesota Statutes 1982, section 334.16, subdivision 1.

Referred to the Committee on Economic Development and Commerce.

Mr. Schmitz, Mrs. Adkins, Mr. Ramstad, Mrs. McQuaid and Mr. Stumpf introduced—

S.F. No. 1020: A bill for an act relating to communications; removing restrictions on telecast agreements for games at metropolitan sports facilities; repealing Minnesota Statutes 1982, section 473.568.

Referred to the Committee on Local and Urban Government.

Mr. Pogemiller introduced—

S.F. No. 1021: A bill for an act relating to no-fault automobile insurance; prohibiting reparation obligors from prorating the disability and income loss benefits maximum on a daily basis; amending Minnesota Statutes 1982, section 65B.44, subdivision 3.

Referred to the Committee on Economic Development and Commerce.

Mr. Peterson, C.C. introduced—

S.F. No. 1022: A bill for an act relating to state governmental finances; defining the nature and scope of the state budget reserve account; amending Minnesota Statutes 1982, section 16A.15, subdivision 1, and by adding subdivisions; repealing Minnesota Statutes 1982, section 16A.153.

Referred to the Committee on Finance.

Mr. Merriam, Ms. Reichgott and Mr. Peterson, R.W. introduced—

S.F. No. 1023: A bill for an act relating to probate; adopting provisions of the uniform probate code relating to intestate succession, spouse's elective share, omitted spouses and children, and certain allowances and exempt property; proposing new law coded in Minnesota Statutes, chapter 524; repealing Minnesota Statutes 1982, sections 525.13; 525.14; 525.145; 525.15; 525.151; 525.16; 525.17; 525.171 to 525.202; and 525.212 to 525.216.

Referred to the Committee on Judiciary.

Mr. Peterson, C.C. introduced—

S.F. No. 1024: A bill for an act relating to health insurance; reinstating health insurance for a certain annuitant.

Referred to the Committee on Governmental Operations.

Mr. Peterson, R.W. introduced—

S.F. No. 1025: A bill for an act relating to probate; providing a procedure for succession without administration; enacting additions to the Uniform Probate Code; proposing new law coded in Minnesota Statutes, chapter 524.

Referred to the Committee on Judiciary.

Mr. Lessard introduced—

S.F. No. 1026: A bill for an act relating to Independent School District No. 319, Nashwaak-Keewatin; authorizing a transfer of funds to reduce the operating debt.

Referred to the Committee on Education.

Mr. Moe, D.M. introduced—

S.F. No. 1027: A bill for an act relating to state government; making technical changes relating to insurance benefits to recognize the existence of the court of appeals; providing time limitations on the rights of former

members of the legislature to purchase certain insurance; amending Minnesota Statutes 1982, sections 43A.24, subdivision 2; and 43A.27, subdivision 4.

Referred to the Committee on Governmental Operations.

Messrs. Taylor; Moe, R.D.; Purfeerst and Frederick introduced—

S.F. No. 1028: A bill for an act relating to the agriculture interpretive center at Waseca; providing for construction of improvements; providing for the sale of state building bonds.

Referred to the Committee on Finance.

Mr. Peterson, C.C. introduced—

S.F. No. 1029: A bill for an act relating to game and fish; requiring nonresident bear hunters to be accompanied by a licensed guide; amending Minnesota Statutes 1982, section 98.455.

Referred to the Committee on Agriculture and Natural Resources.

Mr. Dicklich introduced—

S.F. No. 1030: A bill for an act relating to elections; providing for school district elections to be held at the same time as municipal elections; providing for municipal clerks to administer school district elections; providing for school district elections to be conducted according to the Minnesota election law; amending Minnesota Statutes 1982, sections 122.25, subdivision 2; 123.32, subdivisions 9 and 23; 123.33, subdivision 4; 123.351, subdivisions 1 and 3; 123.51; 128.01; 200.015; 200.02, by adding a subdivision; 201.071, subdivision 1, and by adding a subdivision; 203B.05, subdivision 2; 203B.06, subdivision 3; 204B.02; 204B.14, by adding a subdivision; 204B.16, subdivision 1; 204B.18, subdivision 2; 204B.35, subdivision 1; 204B.40; 204C.02; 204C.19, subdivision 2; 204C.25; 204C.27; 204C.28, by adding a subdivision; 204C.36; 209.02, subdivisions 1 and 3; proposing new law coded in Minnesota Statutes, chapters 206 and 210A; proposing new law coded as Minnesota Statutes, chapter 205A; repealing Minnesota Statutes 1982, sections 123.015; 123.11, subdivisions 2, 3, and 4; 123.32, subdivisions 1, 1a, 2, 3, 4, 5, 6, 7, 8, 8a, 11, 22, 24, 25, 26, 27, and 28; and 201.095.

Referred to the Committee on Elections and Ethics.

Messrs. Langseth, Frederickson and Davis introduced—

S.F. No. 1031: A bill for an act relating to agriculture; regulating commerce in seeds; establishing a seed laboratory for the regulatory and service testing of seeds; appropriating money; imposing penalties; proposing new law coded in Minnesota Statutes, chapter 21; repealing Minnesota Statutes 1982, sections 21.47 to 21.58.

Referred to the Committee on Agriculture and Natural Resources.

Mr. Frederickson introduced—

S.F. No. 1032: A bill for an act relating to the city of New Ulm; permitting the establishment of special service districts; providing taxing and other financial authority for New Ulm.

Referred to the Committee on Local and Urban Government.

Messrs. Peterson, R.W.; Merriam and Luther introduced—

S.F. No. 1033: A bill for an act relating to commerce; secured transactions; changing the place of filing of farm equipment and farm product liens; regulating examination and search fees; absolving filing officers of liability for negligence in supplying information; appropriating money; amending Minnesota Statutes 1982, sections 336.9-401; 336.9-403; 336.9-404; and 336.9-407.

Referred to the Committee on Judiciary.

Messrs. Peterson, R.W. and Merriam introduced—

S.F. No. 1034: A bill for an act relating to agriculture; specifying procedures for minimizing soil loss on agricultural lands; amending Minnesota Statutes 1982, sections 40.01, by adding subdivisions; 40.036, subdivision 3; and 40.07, subdivision 9, and by adding subdivisions.

Referred to the Committee on Agriculture and Natural Resources.

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

S.F. No. 1035: A bill for an act relating to elections; changing the time and day of precinct caucuses; amending Minnesota Statutes 1982, section 202A.14, subdivision 1.

Referred to the Committee on Elections and Ethics.

Messrs. Peterson, R.W. and Sieloff introduced—

S.F. No. 1036: A bill for an act relating to negligence actions; providing for joint and several liability and equal contribution to awards; amending Minnesota Statutes 1982, section 604.02, subdivisions 1 and 2.

Referred to the Committee on Judiciary.

Mr. Peterson, R.W. introduced—

S.F. No. 1037: A bill for an act relating to insurance; removing obsolete statutory provisions regulating assessment benefit associations; repealing Minnesota Statutes 1982, sections 63.01 to 63.35.

Referred to the Committee on Economic Development and Commerce.

Mr. Peterson, R.W. introduced—

S.F. No. 1038: A bill for an act relating to taxation; providing a special levy for operating costs of a county jail; amending Minnesota Statutes 1982, section 275.50, subdivision 5.

Referred to the Committee on Taxes and Tax Laws.

Mr. Renneke introduced—

S.F. No. 1039: A bill for an act relating to insurance; allowing certain aircraft owners to elect not to carry passenger seat liability coverage if they will not be carrying passengers; amending Minnesota Statutes 1982, sections 60A.081, subdivision 2; and 360.59, subdivision 10.

Referred to the Committee on Economic Development and Commerce.

Messrs. Johnson, D.E. and Benson introduced—

S.F. No. 1040: A bill for an act relating to drainage; permitting certain towns to appeal from certain orders of county boards assessing damages or benefits in ditch proceedings.

Referred to the Committee on Agriculture and Natural Resources.

Mr. Ramstad introduced—

S.F. No. 1041: A bill for an act relating to the city of Plymouth; giving the city the powers of a port authority.

Referred to the Committee on Local and Urban Government.

Messrs. Diessner, Vega, Novak and Pehler introduced—

S.F. No. 1042: A bill for an act relating to education; severance pay plans for teachers; authorizing school districts to make a property tax levy for severance pay; authorizing equalization aid for the severance pay levy; amending Minnesota Statutes 1982, section 275.125, by adding a subdivision; proposing new law coded in Minnesota Statutes, chapters 124 and 125.

Referred to the Committee on Education.

Messrs. Belanger, Pogemiller, Freeman and Ms. Peterson, D.C. introduced—

S.F. No. 1043: A bill for an act relating to intoxicating liquor; authorizing a city to authorize an on-sale licensee to dispense liquor at events held in facilities of the metropolitan sports facilities commission; amending Minnesota Statutes 1982, section 340.11, subdivision 11c.

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

Mr. Samuelson introduced—

S.F. No. 1044: A bill for an act relating to the city of Baxter; authorizing the city to employ a full-time police officer; providing exception to peace officer licensing requirement.

Referred to the Committee on Governmental Operations.

Mr. Schmitz introduced—

S.F. No. 1045: A bill for an act relating to health; modifying the reporting

requirements for community health services; amending Minnesota Statutes 1982, section 145.918, subdivision 1.

Referred to the Committee on Health and Human Services.

Mr. Schmitz introduced—

S.F. No. 1046: A bill for an act relating to public welfare; eliminating the requirement that the commissioner of public welfare amend the state medical assistance plan to include reimbursement for local screening teams; eliminating the requirement that the commissioner apply for a federal waiver to expand the availability of alternative care services; eliminating the disregard of social security cost of living increases when determining eligibility for medical assistance; amending Minnesota Statutes 1982, sections 256B.06, subdivision 1; 256B.091, subdivisions 6 and 8.

Referred to the Committee on Health and Human Services.

Mr. Schmitz introduced—

S.F. No. 1047: A bill for an act relating to public welfare; establishing a board of social work examiners; licensing and regulating social workers; providing penalties; appropriating money; amending Minnesota Statutes 1982, section 214.01, subdivision 2; proposing new law coded as Minnesota Statutes, chapter 148A.

Referred to the Committee on Health and Human Services.

Mr. Peterson, C.C. introduced—

S.F. No. 1048: A bill for an act relating to natural resources; strengthening certain laws regarding the transportation of wild animals; amending Minnesota Statutes 1982, section 97.45, subdivisions 1, 4, 5, 6, 7, and 12.

Referred to the Committee on Agriculture and Natural Resources.

Messrs. Solon, Freeman, Petty, Belanger and Mrs. Adkins introduced—

S.F. No. 1049: A bill for an act relating to occupations and professions; providing changes in real estate salespersons education requirements; amending Minnesota Statutes 1982, section 82.22, subdivision 6.

Referred to the Committee on Economic Development and Commerce.

Mr. Dicklich introduced—

S.F. No. 1050: A bill for an act relating to unemployment compensation; including backpay for wrongful discharge as wages; allowing employees to collect unemployment compensation when they may have a claim for backpay for wrongful discharge; allowing employers to repay and withdraw the unemployment compensation claims of employees who have been wrongfully discharged; amending Minnesota Statutes 1982, sections 268.04, subdivisions 23 and 25; and 268.06, by adding a subdivision.

Referred to the Committee on Employment.

Mr. Chmielewski introduced—

S.F. No. 1051: A bill for an act relating to recreational trails; allowing three-wheel off-road vehicles to use certain trails during certain periods of time; requiring vehicle owners to pay a registration fee; amending Minnesota Statutes 1982, sections 84.81, by adding a subdivision; 85.015, by adding a subdivision; 85.017; and 85.018, subdivisions 2, 5, and by adding a subdivision.

Referred to the Committee on Agriculture and Natural Resources.

Messrs. Luther, Solon, Petty and Anderson introduced—

S.F. No. 1052: A bill for an act relating to insurance; correcting certain errors; removing certain deficiencies and ambiguities; correcting certain omissions; expanding certain insurers' investment authority; providing standards for application or reporting requirements; authorizing the commissioner to adopt rules; providing for miscellaneous changes and clarifications; amending Minnesota Statutes 1982, sections 60A.11, subdivisions 9, 10, 14, 18, 20, 21, 23, and 24; 60A.111, subdivision 2, and by adding subdivisions; 61A.28, subdivisions 3, 6, and 12; 61A.29, subdivision 2; 61A.31, subdivision 3; repealing Minnesota Statutes 1982, sections 60A.11, subdivisions 5a, 5b, and 7; and 60A.111, subdivision 4.

Referred to the Committee on Economic Development and Commerce.

Mr. Spear introduced—

S.F. No. 1053: A bill for an act relating to notarial acts; providing for various notarial acts; enacting the Uniform Law on Notarial Acts; proposing new law coded in Minnesota Statutes, chapter 358; repealing Minnesota Statutes 1982, sections 358.32 to 358.40.

Referred to the Committee on Judiciary.

Mr. Petty introduced—

S.F. No. 1054: A bill for an act relating to health services; establishing voluntary and contingent mandatory systems for health service provider reporting or disclosure of prices; appropriating money; proposing new law coded in Minnesota Statutes, chapter 144; repealing Minnesota Statutes 1982, section 144.705.

Referred to the Committee on Health and Human Services.

Mr. Petty, Ms. Berglin and Mr. Spear introduced—

S.F. No. 1055: A bill for an act relating to insurance; prohibiting sex and age discrimination under the Minnesota comprehensive health insurance plan; amending Minnesota Statutes 1982, section 62E.08, subdivision 2.

Referred to the Committee on Economic Development and Commerce.

Messrs. Petty and Spear introduced—

S.F. No. 1056: A bill for an act relating to the Minneapolis park and recreation board; providing for the appointment of various employees; amending Laws 1969, chapter 1024, sections 1 and 2.

Referred to the Committee on Local and Urban Government.

Mr. Petty introduced—

S.F. No. 1057: A bill for an act relating to economic development; requiring certain agreements relating to job creation as a condition for approval of industrial revenue bonds; amending Minnesota Statutes 1982, sections 474.01, by adding a subdivision; and 474.08.

Referred to the Committee on Economic Development and Commerce.

Messrs. Petty; Langseth; Moe, R.D. and Bertram introduced—

S.F. No. 1058: A bill for an act relating to taxation; exempting certain business property from ad valorem taxation; amending Minnesota Statutes 1982, sections 272.02, subdivision 1; and 473F.02, subdivision 3; proposing new law coded in Minnesota Statutes, chapter 273.

Referred to the Committee on Economic Development and Commerce.

Mr. Taylor introduced—

S.F. No. 1059: A bill for an act relating to unemployment compensation; requiring work search documentation; amending Minnesota Statutes 1982, section 268.08, subdivision 1.

Referred to the Committee on Employment.

Messrs. Frederick and Benson introduced—

S.F. No. 1060: A bill for an act relating to taxation; requiring certain information on income tax forms; amending Minnesota Statutes 1982, section 290.39, by adding a subdivision.

Referred to the Committee on Taxes and Tax Laws.

Mr. Wegscheid introduced—

S.F. No. 1061: A bill for an act relating to retirement; maximum age for initial membership in a second class city volunteer firefighters' relief association; amending Minnesota Statutes 1982, section 424.04, subdivision 2.

Referred to the Committee on Governmental Operations.

Messrs. Petty, Solon, Benson and Laidig introduced—

S.F. No. 1062: A bill for an act relating to insurance; health and accident; regulating benefits for treatment of alcoholism and drug addiction; amending Minnesota Statutes 1982, section 62A.149, subdivision 2.

Referred to the Committee on Economic Development and Commerce.

Messrs. Hughes, Renneke, Knaak, Spear and Wegscheid introduced—

S.F. No. 1063: A bill for an act relating to the small business set-aside program; providing for an increased amount for which sealed bids are required; providing a limitation on set-aside awards over estimated contract

price; limiting subcontracting of set-aside awards; providing a uniform system of certification; prohibiting a quota system for set-aside awards; amending Minnesota Statutes 1982, sections 16.07, subdivisions 2 and 4; 16.083, subdivisions 2 and 4; 16.085; and 471.345, subdivisions 3 and 4.

Referred to the Committee on Governmental Operations.

Messrs. Moe, R.D.; Peterson, R.W. and Luther introduced—

S.F. No. 1064: A bill for an act relating to wrongful death; allowing award of punitive damages in actions for death by wrongful act; amending Minnesota Statutes 1982, section 573.02, subdivision 1.

Referred to the Committee on Judiciary.

Mr. Belanger introduced—

S.F. No. 1065: A bill for an act relating to local government; permitting certain land transfers by the metropolitan sports facilities commission; amending Minnesota Statutes 1982, section 458.195, subdivision 5; and 473.556, subdivision 6.

Referred to the Committee on Local and Urban Government.

Mr. Hughes introduced—

S.F. No. 1066: A bill for an act relating to watershed districts; providing additional standards for assessing properties benefited by a watershed project; amending Minnesota Statutes 1982, section 112.501, subdivision 2.

Referred to the Committee on Agriculture and Natural Resources.

Mr. Pehler introduced—

S.F. No. 1067: A bill for an act relating to crimes; exempting participants in supervised research programs from arrest for certain driving violations; amending Minnesota Statutes 1982, section 169.121, by adding a subdivision.

Referred to the Committee on Judiciary.

Mr. Freeman introduced—

S.F. No. 1068: A bill for an act relating to economic development; creating the world trade center commission; appropriating money.

Referred to the Committee on Economic Development and Commerce.

Ms. Peterson, D.C. introduced—

S.F. No. 1069: A bill for an act relating to public welfare; establishing a formula for apportioning among counties the cost of federal fiscal sanctions resulting from quality control errors in the aid to families with dependent children, medical assistance, and food stamp programs; amending Minnesota Statutes 1982, section 256.01, subdivision 2.

Referred to the Committee on Health and Human Services.

Ms. Peterson, D.C. introduced—

S.F. No. 1070: A bill for an act relating to public welfare; allowing the state to require an advance from the county agency for the county share of medical assistance and general assistance medical care; amending Minnesota Statutes 1982, sections 256B.041, subdivisions 2 and 5; and 256D.03, by adding a subdivision.

Referred to the Committee on Health and Human Services.

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

S.F. No. 1071: A bill for an act relating to loan guarantees for persons obtaining loans on farm land within the White Earth Indian Reservation; proposing new law coded as Minnesota Statutes, chapter 41A.

Referred to the Committee on Agriculture and Natural Resources.

Messrs. Peterson, C.C.; Lessard; Bernhagen; Johnson, D.J. and Merriam introduced—

S.F. No. 1072: A bill for an act relating to game and fish; authorizing reciprocity with Wisconsin in the purchase and sale of annual fishing licenses; proposing new law coded in Minnesota Statutes, chapter 98.

Referred to the Committee on Agriculture and Natural Resources.

Without objection, the Senate reverted to the Order of Business of Reports of Committees and Second Reading of Senate Bills.

REPORTS OF COMMITTEES

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

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. 512: A bill for an act relating to the military; redefining categories of service; restricting state liability for workers' compensation claims, tort claims, and special compensation payments; clarifying applicability of state's uniform code of military justice; reenacting the authority of the adjutant general to repair regimental battle flags; amending Minnesota Statutes 1982, sections 3.732, subdivision 1; 176.011, subdivision 9; 190.05, subdivision 5, and by adding subdivisions; 192.38; 192A.015; and 192A.02, subdivision 1; proposing new law coded in Minnesota Statutes, chapter 190.

Reports the same back with the recommendation that the report from the Committee on Veterans and General Legislation, shown in the Journal for March 24, 1983, be amended to read:

“the bill do pass and be re-referred to the Committee on Judiciary”. 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. 591: A bill for an act relating to insurance; health and accident; prohibiting provider discrimination in insurance policies covering mental health services; amending Minnesota Statutes 1982, section 62A.152, by adding a subdivision.

Reports the same back with the recommendation that the report from the Committee on Economic Development and Commerce, shown in the Journal for March 30, 1983, be amended to read:

“the bill be amended and when so amended the bill do pass.” Amendments adopted. Report adopted.

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

S.F. No. 262: A bill for an act relating to insurance; health and accident; providing benefits for the services of a clinical nurse specialist in psychiatric or mental health nursing; amending Minnesota Statutes 1982, section 62A.152, subdivision 2.

Reports the same back with the recommendation that the report from the Committee on Economic Development and Commerce, shown in the Journal for March 24, 1983, be adopted; that committee recommendation being

“the bill be amended and when so amended the bill do pass and be re-referred to the Committee on Health and Human Services”. Amendments adopted. 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. 263: A bill for an act relating to insurance; health and accident; providing reimbursement for the services of certain licensed and certified registered nurses on an equal basis with other licensed health professional services; amending Minnesota Statutes 1982, sections 62A.03, subdivision 1; and 62A.15.

Reports the same back with the recommendation that the report from the Committee on Economic Development and Commerce, shown in the Journal for March 24, 1983, be amended to read:

“the bill be amended and when so amended the bill do pass.” Amendments adopted. Report adopted.

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

S.F. No. 920, reports the same back with the recommendation that the bill be re-referred as follows:

S.F. No. 920 to the Committee on Local and Urban Government.

Report adopted.

SECOND READING OF SENATE BILLS

S.F. Nos. 591 and 263 were read the second time.

ADJOURNMENT

Mr. Moe, R.D. moved that the Senate do now adjourn until 12:00 noon, Wednesday, April 6, 1983. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate