

THIRTY-FIFTH DAY

St. Paul, Minnesota, Thursday, April 14, 1983

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

CALL OF THE SENATE

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

Prayer was offered by the Chaplain, Senator Dean Johnson.

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

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

The President declared a quorum present.

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

REPORTS OF COMMITTEES

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

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

S.F. No. 462: A bill for an act relating to liquor; authorizing employment of persons under 18 in establishments licensed to sell wine only; amending Minnesota Statutes 1982, section 340.14, subdivision 2.

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

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

S.F. No. 772: A bill for an act relating to taxation; liquor excise; providing

a reduced tax on liquor made in Minnesota from Minnesota products; amending Minnesota Statutes 1982, section 340.47, subdivisions 1, 1a, and by adding a subdivision.

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

Page 2, line 5, delete "*made*" and insert "*distilled*" and delete "*from*" and insert "*with a majority of the ingredients grown or produced in Minnesota*"

Page 2, line 6, delete "*Minnesota-grown products*"

Page 2, line 9, delete "*made*" and insert "*distilled*"

Page 2, line 10, delete "*from Minnesota-grown products*" and insert "*with a majority of the ingredients grown or produced in Minnesota*"

Page 2, line 17, delete "*made*" and insert "*distilled*"

Page 2, line 18, delete "*from Minnesota-grown products*" and insert "*with a majority of the ingredients grown or produced in Minnesota*"

Page 3, line 7, delete "*made*" and insert "*distilled*" and delete "*from*" and insert "*with a majority of the ingredients grown or produced in Minnesota*"

Page 3, line 8, delete "*Minnesota-grown products*"

Page 3, line 11, delete "*made*" and insert "*distilled*"

Page 3, line 12, delete "*from Minnesota-grown products*" and insert "*with a majority of the ingredients grown or produced in Minnesota*"

Page 3, line 19, delete "*made*" and insert "*distilled*" and delete "*from Minnesota-grown products*" and insert "*with a majority of the ingredients grown or produced in Minnesota*"

Page 3, line 25, delete "*Minnesota-grown products*" and insert "*ingredients grown or produced in Minnesota*"

Page 4, delete lines 1 and 2

Page 4, line 3, delete everything before "*distilled*"

Page 4, line 5, delete "*manufactured*" and insert "*distilled*" and delete "*from*" and insert "*with a majority of the ingredients grown or produced in Minnesota*"

Page 4, line 6, delete "*Minnesota-grown products*"

Amend the title as follows:

Page 1, line 3, delete "*made*" and insert "*distilled*"

Page 1, line 3, delete "*from Minnesota*"

Page 1, line 4, delete "*products*" and insert "*with a majority of the ingredients grown or produced in Minnesota*"

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

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

S.F. No. 694: A bill for an act relating to open space and recreation;

authorizing the issuance of state bonds and expenditure of the proceeds to acquire and better regional recreation open space lands by the metropolitan council and metropolitan area local governmental units; appropriating money.

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

Page 1, line 14, delete "\$....." and insert "\$34,995,000"

Page 1, line 19, delete "\$....." and insert "\$17,325,000"

Page 2, line 6, delete "\$....." and insert "\$400,000"

Page 2, after line 9, insert:

"Sec. 3. [DEPARTMENT OF NATURAL RESOURCES; APPROPRIATION FOR ACQUISITION AND DEVELOPMENT.]

The following sums are appropriated from the state building fund to the commissioner of natural resources to acquire and better public outdoor recreation lands and capital improvements:

- (1) *For acquisition of state parks and recreation areas, as listed and described in Minnesota Statutes, sections 85.012 and 85.013* \$2,500,000
- (2) *For betterment of state parks and recreation areas, as listed and described in Minnesota Statutes, sections 85.012 and 85.013* \$3,450,000
- (3) *For betterment of state trails and trails within state parks, and other units of the outdoor recreation system as defined in Minnesota Statutes, section 86A.05* \$1,725,000
- (4) *For acquisition of state forests listed and described in Minnesota Statutes, section 89.021* \$ 470,000
- (5) *For betterment of R. J. Dorer memorial forest described in Minnesota Statutes, section 89.021, subdivision 33* \$ 230,000
- (6) *For betterment of state forest recreation listed and described in Minnesota Statutes, section 89.021* \$ 380,000
- (7) *For betterment of state forest roads and bridges* ... \$1,150,000
- (8) *For acquisition of fishing management lands including riparian rights and other interests therein needed for management of waters for primary wildlife use and benefit and for access to fishing waters pursuant to Minnesota Statutes, section 97.48, subdivisions 8, 11, and 15* \$ 240,000
- (9) *For acquisition of wildlife management areas pursuant to Minnesota Statutes, sections 97.48, subdivision 13, and 97.481, and wetlands under the water bank program pursuant to Minnesota Statutes, section 105.392* \$4,090,000
- (10) *For betterment of wildlife management areas, acquired pursuant to Minnesota Statutes, sections 97.48, subdivision 13, and 97.481* \$ 575,000

<i>(11) For acquisition of natural and scientific areas designated pursuant to Minnesota Statutes, section 84.033</i>	\$ 400,000
<i>(12) For betterment of natural and scientific areas designated pursuant to Minnesota Statutes, section 84.033</i>	\$ 60,000
<i>(13) For acquisition of wild, scenic, and recreational rivers, designated pursuant to sections 104.25 to 104.40, and canoe and boating routes, portages, and camp sites, as listed and described in Minnesota Statutes, section 85.32</i>	\$ 250,000
<i>(14) for betterment of canoe and boating routes, portages, and camp sites as listed and described in Minnesota Statutes, section 85.32</i>	\$ 50,000
<i>(15) For betterment of public accesses to public waters pursuant to Minnesota Statutes, section 97.48, subdivision 15</i>	\$ 920,000
<i>(16) For acquisition of public accesses to public waters pursuant to Minnesota Statutes, section 97.48, subdivision 15</i>	\$1,180,000

Not more than 15 percent of the amount appropriated for any line item contained in this section shall be expended for staff and independent professional services in connection with that acquisition or betterment.

Sec. 4. [LAND ACQUISITION.]

Lands shall be acquired by the commissioner of administration upon request of the commissioner of natural resources and in accordance with policies established in Minnesota Statutes, sections 86A.01 to 86A.09. Those acquired for each unit of the outdoor recreation system shall be suited for the purpose of that unit and suited for management in accordance with the principles applicable to it. The commissioner of natural resources shall submit semiannual work progress reports to the legislative commission on Minnesota resources, in the form requested by the commission, and shall submit a work program to the commission and request its recommendation thereon before expending any funds appropriated by section 4 for any purpose. The commission's recommendation shall be advisory only. Failure to respond to a request within 60 days after receipt shall be deemed a negative recommendation.

Sec. 5. Minnesota Statutes 1982, section 473.147, subdivision 1, is amended to read:

Subdivision 1. The metropolitan council after consultation with the parks and open space commission, municipalities, park districts and counties in the metropolitan area, and after appropriate public hearings, shall prepare and adopt a long-range system policy plan for regional recreation open space as part of the council's metropolitan development guide. The plan shall substantially conform to all policy statements, purposes, goals, standards, and maps in development guide sections and comprehensive plans as developed and adopted by the council pursuant to the chapters of the Minnesota Statutes directly relating to the council. The policy plan shall identify generally the areas which should be acquired by a public agency to provide a system of regional recreation open space comprising park district, county

and municipal facilities which, together with state facilities, reasonably will meet the outdoor recreation needs of the people of the metropolitan area and shall establish priorities for acquisition and development. In preparing or amending the policy plan the council shall consult with and make maximum use of the expertise of the commission. The policy plan shall include a five year capital improvement program, which shall be revised periodically, and shall establish criteria and priorities for the allocation of funds for such acquisition and development. *The legislature in each bonding measure shall designate an anticipated level of funding for such acquisition and development for each of the two succeeding biennia.*"

Page 2, line 11, delete "\$...." and insert "\$35,000"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 2, after "relating to" insert "parks,"

Page 1, line 6, after the semicolon, insert "authorizing expenditures for acquisition and betterment of state parks, recreation areas, trails, forests, fishing management lands, wildlife management areas, natural and scientific areas, wild, scenic, and recreational rivers, canoe and boating routes, and public water access; requiring the legislature to designate anticipated funding levels for park acquisition and development in the metropolitan area;"

Page 1, line 7, before the period, insert "; amending Minnesota Statutes 1982, section 473.147, subdivision 1"

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

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

S.F. No. 689: A bill for an act relating to the town of St. Cloud; permitting its division into urban and rural service districts.

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

Mr. Johnson, D.J. from the Committee on Taxes and Tax Laws, to which was re-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 do pass. Report adopted.

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

S.F. No. 628: A bill for an act relating to agriculture; providing for the prevention of economic waste in the marketing of certain agricultural crops produced in Minnesota by establishing minimum prices; providing for supply management and orderly marketing, administration, and enforcement; imposing a penalty; proposing new law coded in Minnesota Statutes, chapter 17.

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

Page 1, line 12, delete "10" and insert "9"

Page 2, line 27, delete "10" and insert "9"

Page 2, line 32, delete "8" and insert "7"

Page 3, delete lines 19 to 21 and insert:

"Subd. 7. [PRODUCER.] "Producer" means any person who owns or operates an agricultural producing or growing facility for an agricultural commodity and shares in the profits and risk of loss from the operation, and who grows, raises, or produces the agricultural commodity in Minnesota during the current or preceding market year."

Page 4, delete lines 2 to 6 and insert:

"Subd. 2. [MINIMUM PRICE TRIGGER.] The minimum price of an agricultural commodity, except sunflowers, shall be effective when a minimum price equal to the minimum price established under this section has been established for at least 60 percent of the previous year's United States production of that commodity. The minimum price for sunflowers shall be effective when a minimum price equal to the minimum price established under this section has been established for at least 60 percent of the previous year's United States production of sunflowers and when the minimum price of soybeans is effective. Notice that a minimum price established by the commissioner has become effective shall be published in the state register."

Page 4, line 12, delete the second comma and insert a period

Page 4, line 17, delete "the product of"

Page 4, line 18, delete "divided by the statewide"

Page 4, line 19, delete "average county loan rate" and after "by" insert "the ratio of"

Page 4, line 20, after "question" insert "to the statewide average county loan rate"

Pages 4 and 5, delete subdivisions 5 and 6 and insert:

"Subd. 5. [PROCEDURE FOR ESTABLISHMENT OF MINIMUM PRICE.] As soon as practicable after February 1 of each year, the commissioner shall establish the minimum price for any commodity based on the parity price in effect on February 1 of that year. The commissioner shall adopt temporary rules establishing the minimum price in the manner provided under chapter 14. The rule shall be effective for one year from the time of its adoption unless a shorter time is provided by the rule. The commissioner shall retain all data used in establishing a minimum price. Any person aggrieved by a minimum price established under this subdivision may petition for judicial review as provided in section 14.44 within 30 days of the effective date of the rule. The data retained by the commissioner shall constitute the record for review by the court."

Page 5, after line 34, insert:

"The production which is subject to adjustment under this subdivision is the total production of the commodity for all purposes, including amounts of the commodity used by the producer in his own operations. In adopting supply management or orderly marketing procedures for a commodity, the commissioner shall consider the impact of federal programs and other fac-

tors affecting the production and supply of the commodity. In determining the magnitude of any pro rata production adjustment or market share, the commissioner shall take into account any adjustment in production made by producers under any federal program."

Page 6, line 7, delete "both"

Page 6, delete lines 8 to 11

Page 6, line 12, delete everything before "or" and insert "*the procedures are disapproved or different procedures are adopted by an act of the legislature;*"

Page 6, line 12, delete "25" and insert "ten"

Page 6, line 36, delete "8" and insert "7"

Page 7, line 1, delete "shall" and insert "may"

Page 7, line 8, delete everything after "register"

Page 7, delete lines 9 and 10

Page 7, line 11, delete "subdivision 6" and insert "*at the same time that notice of the effectiveness of a minimum price is published under section 3, subdivision 2. The check-off procedure is effective upon approval by a majority of the producers voting in a referendum held by the commissioner in the manner provided for a promotional order under section 17.56, subdivision 3. If a referendum is conducted and the proposed check-off fee is not approved, the commissioner shall not conduct another referendum on any check-off fee for the same commodity until one year has elapsed. Establishment of the check-off procedure is not subject to the administrative procedure act under chapter 14. An outline of the proposed check-off procedure shall be published in the state register with the temporary rule establishing the minimum price for a commodity under section 3, subdivision 5"*

Page 7, after line 15, insert:

"The commissioner shall retain all data used to establish the check-off procedure. Any person aggrieved by the procedure may petition the district court of Ramsey County for judicial review. The data retained by the commissioner shall be the record for judicial review."

Page 7, lines 18 and 21, delete "8" and insert "7"

Page 7, line 23, delete "8" and insert "7, and to repay any appropriation from the general fund"

Page 7, line 28, delete "commisioner" and insert "commissioner"

Page 7, line 29, after the period, insert "*During biennial budget hearings in each odd numbered year, the commissioner shall report the projected administrative costs for the next biennium under sections 2 to 7 to the standing legislative committees on finance and appropriations."*

Pages 7 and 8, delete section 6

Page 8, line 12, delete "[17.708]" and insert "[17.707]"

Page 8, line 13, delete "8" and insert "7"

Page 8, line 16, delete "[17.709]" and insert "[17.708]" and after "PENALTIES" insert "; ENFORCEMENT"

Page 8, line 17, delete "A person may not sell to another and" and insert "*Subdivision 1. [PENALTIES.]*"

Page 8, line 19, delete "*most recently set by the commissioner*" and insert "*which is effective at the time of purchase*"

Page 8, line 20, after "*is*" insert a colon and delete "*fine*" and insert "*civil penalty*"

Page 8, line 24, after the period, insert "*The attorney general may bring an action in district court to impose a penalty provided under this section.*"

Subd. 2. [INVESTIGATION; SETTLEMENT.] The commissioner shall investigate any reported violation of this section. If the commissioner determines that a violation has occurred, the commissioner may negotiate a settlement with the offending party, including payment of a penalty in an amount not less than the difference between the lower price and the established minimum price for the commodity involved. If a settlement cannot be reached within 60 days, the commissioner shall request the attorney general to take other appropriate legal action.

Subd. 3. [RESTRAINING ORDER.] The commissioner may seek a temporary restraining order to restrain a violation of subdivision 1 in the district court of Ramsey County. The court shall grant a temporary restraining order for ten working days upon a showing by the commissioner that there is reason to believe, based on specific evidence, that an ongoing violation of subdivision 1 is occurring or that a violation may occur."

Page 8, delete section 9

Renumber the sections in sequence

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. 525: A bill for an act relating to marriage dissolution; providing a summary dissolution procedure; proposing new law coded in Minnesota Statutes, chapter 518.

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

Delete everything after the enacting clause and insert:

"Section 1. [518.134] [SUMMARY DISSOLUTION.]

Subdivision 1. [AVAILABILITY.] A marriage may be dissolved using the summary procedure in this section if:

(a) at least one party to the marriage fulfills the residence requirements in section 518.07;

(b) there has been an irretrievable breakdown in the marriage;

(c) a petition for dissolution has been filed; and

(d) the parties have executed a verified, written stipulation which purports to settle all matters relating to the dissolution.

Subd. 2. [SETTLEMENT STIPULATION.] The stipulation required in subdivision 1, clause (d) must include:

(a) a waiver by both parties to a hearing on the decree of dissolution;

(b) a statement that each party has consulted with an attorney prior to executing the stipulation;

(c) a statement that each party believes the stipulation to be fair and reasonable;

(d) findings of fact sufficient to support all required allegations in the petition for dissolution; and

(e) a statement by the attorneys for each party that they have reviewed the stipulation and counseled their respective clients concerning its terms prior to the parties' execution of the stipulation.

When the moving party requests that a decree of dissolution be made and entered without a hearing, and a stipulation described in this section has been filed with and reviewed by the court, unless the court, in its discretion, requires a hearing on the decree of dissolution, the court may make its findings of fact, conclusions of law, order for payment and judgment, and decree based on the stipulation without a hearing. The verified statement set forth in the stipulation constitutes sufficient evidence for it.

Sec. 2. Minnesota Statutes 1982, section 518.145, is amended to read:

518.145 [DECREE.]

A decree of dissolution of marriage or of legal separation is final when entered, subject to the right of appeal. When entered, the findings of fact and conclusions of law may constitute the judgment and decree. When a stipulation meeting the requirement of section 1 has been filed with the court, the decree of dissolution may incorporate the stipulation by reference and the court may adopt the terms of the stipulation as its findings of fact, conclusions of law, and decree. An appeal from the decree of dissolution that does not challenge the finding that the marriage is irretrievably broken does not delay the finality of that provision of the decree which dissolves the marriage beyond the time for appealing from that provision. A party may remarry before the time for appeal has run if it is not contested that the marriage is irretrievably broken or if a stipulation that the marriage is irretrievably broken is incorporated in the decree of dissolution.

Sec. 3. [EFFECTIVE DATE.]

This act is effective for decrees of dissolution made after the date of final enactment.

Amend the title as follows:

Page 1, line 3, after the semicolon, insert "amending Minnesota Statutes 1982, section 518.145;"

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. 549: 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.

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

Page 1, line 15, strike "such" and insert "the"

Page 1, line 17, before the period, insert "unless the elements of both law and fact are identical"

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. 702: A bill for an act relating to human rights; requiring employers to grant personal leave to adopting parents on the same basis as they allow personal leave for biological parents; proposing new law coded in Minnesota Statutes, chapter 363.

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

Page 1, line 9, delete “[363.031] [PERSONAL LEAVE FOR ADOPTING]” and insert “[181.92] [LEAVES FOR ADOPTIVE]”

Page 1, line 11, delete “*personal leave*” and insert “*time off*”

Page 1, line 12, delete “*personal*” and insert “*time off*”

Page 1, line 13, delete “*leave*”

Page 1, line 14, delete everything after the period and insert “*An employer shall not penalize an employee for requesting or obtaining time off according to this section.*”

Page 1, delete line 15

Delete the title and insert:

“A bill for an act relating to employment; providing leaves of absence for adoptive parents; proposing new law coded in Minnesota Statutes, chapter 181.”

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. 393: A bill for an act relating to marriage dissolution; including nonvested pension rights in the definition of marital property; amending Minnesota Statutes 1982, sections 518.54, subdivision 5; and 518.58.

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

Page 1, line 11, delete “*and*”

Page 1, line 12, delete “*nonvested*”

Page 1, line 12, after “*rights*” insert “*and employee contributions to public pension plans in which the employee’s pension benefits or rights have not vested plus accrued interest*”

Page 1, line 24, reinstate the stricken word “*ownership*” and delete “*interest*”

Page 1, line 25, reinstate the stricken words “*that vests*” and delete “*acquired*”

Page 2, line 2, reinstate the stricken word “*vested*”

Pages 2 and 3, delete section 2 and insert:

“Sec. 2. [EFFECTIVE DATE.]”

Section 1 is effective on August 1, 1983, and applies to all dissolution actions commenced on or after that date."

Amend the title as follows:

Page 1, line 4, delete "sections" and insert "section"

Page 1, line 5, delete "; and 518.58"

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. 731: A bill for an act relating to liens; right of possession and liens on fabrication molds and patterns; amending Minnesota Statutes 1982, section 514.19.

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

Page 1, line 10, strike "Such" and insert "A" and strike "shall exist" and insert "exists"

Page 1, line 17, strike "thereof" and strike "the same"

Page 1, lines 18 to 20, delete the new language and insert "*The use and storage of molds and patterns in the possession of the fabricator belonging to the customer for the balance due from the customer for fabrication work;*"

Page 1, line 22, strike "thereon" and insert "*on it*"

Page 1, line 23, strike "Such" and insert "*The*" and strike "shall"

Page 1, lines 23, 24, and 25, strike "such" and insert "*the*"

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. 856: A bill for an act relating to real property; requiring certification by the municipality prior to transfer by the county auditor of certain unplatted properties; amending Minnesota Statutes 1982, section 272.162, subdivisions 2 and 3.

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

Page 2, strike line 16

Page 2, line 17, strike everything before "which"

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

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

H.F. No. 684: A bill for an act relating to administrative procedures; exempting certain rules from the requirement of approval by the revisor of

statutes and related procedures; amending Minnesota Statutes 1982, section 14.38, subdivision 6.

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. 558: A bill for an act relating to administrative rulemaking; providing for consideration of and participation by small business; proposing new law coded in Minnesota Statutes, chapter 14.

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

Page 1, line 20, after "*businesses*" insert "*as defined by this section*"

Page 2, after line 9, insert:

"In its statement of need and reasonableness, the agency shall document how it has considered these methods and the results."

Page 2, line 21, delete "*may*" and insert "*will*"

Page 2, line 22, delete the semicolon and insert "*which shall include a description of the probable quantitative and qualitative impact of the proposed rule, economic or otherwise, upon affected classes of persons; or*"

Page 2, line 25, after the semicolon, insert "*or*"

Page 2, line 27, after the semicolon, insert "*or*"

Page 2, line 29, delete "*; and*" and insert a period

Page 2, delete lines 30 to 32

Page 2, after line 32, insert:

"Subd. 5. [COMPLIANCE.] If a hearing examiner or the attorney general finds that an agency has failed to comply with subdivisions 1 to 4 of this section the rules shall not be adopted."

Page 3, line 4, after the period, insert "*This subdivision shall not apply to rules governing licensure of occupations listed in section 116J.70, subdivision 2a, clause (3), paragraphs (a) through (pp).*"

Page 3, delete line 7

Page 3, line 10, delete the period and insert a semicolon

Page 3, after line 10, insert:

"(c) service businesses regulated by government bodies, for standards and costs, such as nursing homes, long-term care facilities, hospitals, providers of medical care, day care centers, group homes, and residential care facilities; and

(d) agency rules adopted under section 16.085."

Page 3, line 12, delete "*supervise*" and insert "*review*"

Renumber the subdivisions in sequence

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

H.F. No. 140: A bill for an act relating to public utilities; requiring public utilities to consider customer schedule needs when reading nonaccessible meters; proposing new law coded in Minnesota Statutes, chapter 216B.

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

Page 1, line 16, delete "*weekend*" and insert "*Saturday or Sunday*"

Page 1, line 18, after the period, insert "*Utilities may refuse to read a customer's meter during non-daylight hours if such activity could threaten the safety of the utility meter-reading employee.*"

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

H.F. No. 656: A bill for an act relating to intoxicating liquor; allowing the city of Marble to permit on-sales of intoxicating liquor on a certain date.

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

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

S.F. No. 123: A bill for an act relating to cities; directing the department of energy, planning and development to identify border city equalization zones; providing disparity relief measures; providing development powers to cities; amending Minnesota Statutes 1982, sections 272.02, subdivision 1; 273.1312, subdivision 4; 273.75, subdivision 1; 290.06, by adding a subdivision; and 290.08, by adding a subdivision; and proposing new law coded in Minnesota Statutes, chapter 459.

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

Delete everything after the enacting clause and insert:

“ARTICLE I

Section 1. Minnesota Statutes 1982, section 273.13, subdivision 9, is amended to read:

Subd. 9. [CLASS 4A, 4B, 4C, AND 4D.] (1) All property not included in the preceding classes shall constitute class 4a and shall be valued and assessed at 43 percent of the market value thereof, except as otherwise provided in this subdivision.

(2) Real property which is not improved with a structure and which is not

utilized as part of a commercial or industrial activity shall constitute class 4b and shall be valued and assessed at 40 percent of market value.

(3) Commercial and industrial property, except as provided in this subdivision, shall constitute class 4c and shall be valued and assessed at 40 percent of the first \$50,000 of market value and 43 percent of the remainder, provided that in the case of state-assessed commercial or industrial property owned by one person or entity, only one parcel shall qualify for the 40 percent assessment, and in the case of other commercial or industrial property owned by one person or entity, only one parcel in each county shall qualify for the 40 percent assessment.

(4) ~~Industrial~~ Employment property defined in section 273.1313, during the period provided in section 273.1313, shall constitute class 4d and shall be valued and assessed at 20 percent of the first \$50,000 of market value and 21.5 percent of the remainder.

Sec. 2. Minnesota Statutes 1982, section 273.1312, subdivision 2, is amended to read:

Subd. 2. [DESIGNATION.] The commissioner shall designate an area as an enterprise zone if ~~(i)~~ (1) an application is made in the form and manner and containing the information as prescribed by the ~~commissioner's rules~~ commissioner; ~~(ii)~~ (2) the application is made ~~or approved~~ by the governing body of the area; ~~and (iii)~~ (3) the area is determined by the commissioner to be eligible for designation under subdivision 4; ~~and (4) the zone is selected pursuant to the process provided by section 10.~~

Sec. 3. Minnesota Statutes 1982, section 273.1312, subdivision 3, is amended to read:

Subd. 3. [DURATION.] The designation of an area as an enterprise zone shall be effective ~~from for seven years after the date of designation to 12 years thereafter.~~

Sec. 4. Minnesota Statutes 1982, section 273.1312, subdivision 4, is amended to read:

Subd. 4. [ELIGIBILITY REQUIREMENTS.] An area is eligible for designation if *the following requirements are met:*

~~(1) (a) Its boundary is continuous and includes, if feasible, proximately located vacant or underutilized lands or buildings conveniently accessible to residents of the area.~~

~~(2) (b) Its population as determined under the most recent federal decennial census is at least (i) 4,000 if any of the area is located within an SMSA with a population of 50,000 or more, or (ii) 2,500 in any other case unless the area is an Indian reservation, for which no minimum population is required. The area of the zone is less than 400 acres and the total market value of the taxable property contained in the zone at the time of application is less than \$100,000 per acre, except that these restrictions shall not apply to areas designated pursuant to paragraph (c), subparagraph (2) or (3).~~

~~(3) (a) (c)(1) The proposed zone is located within an economic hardship area, as established by meeting three two or more of the following criteria:~~

~~(1) (A) the percentage number of total residential housing units within the~~

zone which was constructed prior to 1950 is 70 are substandard is 15 percent or greater under criteria prescribed by the commissioner using data collected by the bureau of the census;

(2) (B) the percentage of households within the zone that fall below the poverty level, as determined by the United States census bureau, is 20 percent or greater;

(3) (C) (i) the total number of persons residing within the zone has declined by ten percent or more over the ten years preceding application market value of commercial and industrial property in the area has declined over three of the preceding five years, or (ii) the total market value of all property in the area, as equalized by the sales ratio study, has declined or its growth has lagged three percentage points behind the statewide growth in total equalized market value in the state over the preceding three year period;

(4) (D) for the last full year for which data is available, the percentage of the work force of the jurisdiction of the governing body of the area in which the zone is located engaged in manufacturing is less than the percentage of the work force of the state engaged in manufacturing nonfarm per capita income in the area was 90 percent or less of the median for the state or for the standard metropolitan statistical area if the area is located in a standard metropolitan statistical area;

(5) (E) the jurisdiction of the governing body of the area in which the zone is located has recently experienced a significant employment reduction at a federal military installation within the SMSA in which it is located (i) the current rate of unemployment in the area is 120 percent of the statewide average unemployment for the previous year, or (ii) the total number of employment positions has declined by ten percent during the last 18 months; or

(b) (2) The area is so designated under federal legislation providing for federal tax benefits to investors, employers or employees in enterprise zones similar to the state tax benefits set forth in Laws 1982, Chapter 523; and

(4) The governing body of the area seeking to be designated as an enterprise zone, by resolution, agrees to follow a course of action, during the period for which the designation is effective, designed to promote economic development in the area. The program may be implemented by governmental action, by private entities, or both, and may include but is not limited to:

(a) Reduction or abatement of real property taxes of industrial land and facilities according to section 273.1313;

(b) Issuance of revenue bonds or use of federal funds available to finance loans for private industrial and housing facilities;

(c) Issuance of bonds and use of taxes, tax increments, and available federal funds to finance public facilities in the area;

(d) Increase in the level or efficiency of governmental services;

(e) Commitments from public or private entities in the area to provide jobs, job training, and technical, financial, or other assistance to employees and residents of the area; or

(3) The area consists of a statutory or home rule charter city with a contiguous border with a city in another state or with a contiguous border with a

city in Minnesota which has a contiguous border with a city in another state and the area is determined by the commissioner to be economically or fiscally distressed.

For purposes of this subdivision, an economic hardship area must have a population under the most recent federal decennial census of at least (i) 4,000 if any of the area is located wholly or partly within a standard metropolitan statistical area, or (ii) 2,500 for an area located outside of a standard metropolitan statistical area, or (iii) no minimum in the case of an area located in an Indian reservation.

Sec. 5. Minnesota Statutes 1982, section 273.1312, subdivision 5, is amended to read:

Subd. 5. [LIMITATION.] No area shall may be designated as an enterprise zone after December 31, 1996 1988.

Sec. 6. Minnesota Statutes 1982, section 273.1313, subdivision 1, is amended to read:

Subdivision 1. [DEFINITIONS.] ~~(+) Terms~~ (a) [SCOPE.] As used in this section, the following terms have the meanings given them in this subdivision.

~~(2)~~ (b) [COMMISSIONER.] "Commissioner" means the commissioner of revenue.

~~(3)~~ (c) [EMPLOYMENT PROPERTY.] "Industrial Employment property" means taxable property, excluding land but including buildings, structures, fixtures, and improvements that satisfy each of the following conditions:

(a) (1) The property is located within an enterprise zone designated according to section 273.1312.

(b) (2) The primary purpose and prospective use of the property is (i) the manufacture or processing of goods or materials by physical or chemical change, or (ii) the provision of office, engineering, research and development, warehousing, parts distribution, or other facilities that are related to a manufacturing or processing operation conducted by the user commercial or industrial property and is used in a trade or business which would qualify for tax reductions under section 10, subdivision 9.

(c) The user will own the property or occupy it under a lease requiring the user to pay property taxes on it as if the user were the owner.

(d) The property is classified as industrial employment property by the procedure and subject to the conditions provided in this section, before it is first placed in use.

(4) (d) [MARKET VALUE.] "Market value"; as applied to industrial of a parcel of employment property on any particular parcel of land, means the value of all the taxable property situated there except the land, as annually determined pursuant to section 273.12, less (i) the market value of all property existing at the time of application for classification, as last assessed prior to the time of application, and (ii) any increase in the market value of the property referred to in clause (i) as assessed in each year after the industrial employment property is first placed in service. In each year, any

change in the values of the industrial employment property and the other property on the land shall be deemed to be proportionate unless caused by a capital improvement or loss.

~~(5)~~ (e) [MUNICIPALITY.] "Municipality" means any home rule charter or statutory city or county, but a county may not exercise the powers granted in this section with reference to property situated within a city.

Sec. 7. Minnesota Statutes 1982, section 273.1313, subdivision 2, is amended to read:

Subd. 2. [PROGRAM.] ~~(4)~~ (a) The governing body of any municipality which contains a designated enterprise zone as provided by section 273.1312 ~~may shall~~ by resolution establish a program for classification of new industrial property or improvements to existing property as industrial employment property pursuant to the provisions of this section; ~~if it finds that the program is needed to facilitate and encourage the renewal or addition of industrial facilities to provide or preserve employment opportunities for its citizens.~~ Applications for classification under the program shall be filed with the municipal clerk or auditor in a form prescribed by the commissioner, with additions as may be prescribed by the municipal governing body. The application shall contain, *where appropriate*, a legal description of the parcel of land on which the facility is to be situated or improved; a general description of the facility or improvement and its proposed use, ~~the equipment proposed to be used in connection with it (including equipment exempt from taxation under existing law);~~ the probable time schedule for undertaking the construction or improvement, and information regarding the matters referred to in paragraph ~~(4)~~ (d); the market value and the assessed value of the land and of all other taxable property then situated on it, according to the most recent assessment; and an estimate of the probable cost of the new construction or improvement and the market value of the new or improved facility (excluding land) when completed.

~~(2)~~ (b) Upon receipt of an application the municipal clerk or auditor, subject to any prior approval required by the resolution establishing the program, shall furnish a copy to the assessor for the property and to the governing body of each school district and other public body authorized to levy taxes on the property, and shall publish a notice in the official newspaper of the time and place of a hearing to be held by the governing body on the application, not less than 30 days after the notice is published, stating that the applicant, the assessor, representatives of the affected taxing authorities, and any taxpayer of the municipality may be heard or may present their views in writing at or before the hearing. The hearing may be adjourned from time to time, but the governing body shall take action on the application by resolution within 30 days after the hearing. If disapproved, the reasons shall be set forth in the resolution, and the applicant may appeal to the commissioner within 30 days thereafter, but only on the ground that the determination is arbitrary, in relation to prior determinations as to classification under the program, or based upon a mistake of law. If approved, the resolution shall include determinations as to the matters set forth in paragraph ~~(4)~~ (d), and the clerk or auditor shall transmit it to the commissioner.

~~(3)~~ (c) Within 60 days after receipt of an approved application or an appeal

from the disapproval of an application, the commissioner shall take action on it. The commissioner shall approve each application approved by the governing body if he finds that it complies with the provisions of this section. If he disapproves the application, or finds grounds exist for appeal of a disapproved application, he shall transmit the finding to the governing body and the applicant. When grounds for appeal have been determined to exist, the governing body shall reconsider and take further action on the application within 30 days after receipt of the commissioner's notice and serve written notice of the action upon the applicant. The applicant, within 30 days after receipt of notice of final disapproval by the commissioner or the governing body, may appeal from the disapproval to a court of competent jurisdiction.

(4) (d) An application shall not be approved unless the governing body finds and determines that the construction or improvement of the facility:

(a) (1) Is reasonably likely to create new employment or prevent a loss of employment in the municipality;

(b) (2) Is not likely to have the effect of transferring existing employment from one or more other municipalities within the state;

(c) (3) Is not likely to cause the total market value of industrial employment property within the municipality to exceed five percent of the total market value of all taxable property within the municipality; or if it will, the resulting limitation upon the increase of the assessed value of all taxable property within the municipality, considering the amount of additional municipal services likely to be required for the industrial employment property, is not likely to substantially impede the operation or the financial integrity of the municipality or any other public body levying taxes on property in the municipality; and

(d) (4) Will not result in the reduction of the assessed value of existing property within the municipality owned by the applicant, through abandonment, demolition, or otherwise, without provision for the restoration of the existing property within a reasonable time in a manner sufficient to restore the assessed valuation.

Sec. 8. Minnesota Statutes 1982, section 273.1313, subdivision 3, is amended to read:

Subd. 3. [CLASSIFICATION.] Property shall be classified as industrial employment property and assessed as provided for class 4d property in section 273.13, subdivision 9, clause (4), for taxes levied in the year in which the classification is approved and in each year thereafter to and including the 12th year after the industrial employment property is completed for the four succeeding years after the approval. If the classification is revoked, the revocation is effective for taxes levied in the next year after revocation.

Sec. 9. Minnesota Statutes 1982, section 273.1313, subdivision 5, is amended to read:

Subd. 5. [HEARING.] Upon receipt of the request, the commissioner shall notify the applicant and the governing body by certified mail of a time and place, not less than 30 days after receipt, at which the applicant may be heard and. *The hearing must be held within 30 days after receipt of the re-*

quest. *Within 30 days after the hearing, the commissioner will shall determine whether the facts and circumstances are grounds for revocation as recommended by the governing body. If the commissioner revokes the classification, the applicant may appeal from the commissioner's order to a court of competent jurisdiction at any time within 30 days after revocation.*

Sec. 10. [273.1314] [SELECTION OF ENTERPRISE ZONES.]

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

(a) [CITY.] *"City" means a statutory or home rule charter city.*

(b) [COMMISSIONER.] *"Commissioner" means the commissioner of energy, planning, and development.*

(c) [LEGISLATIVE ADVISORY COMMISSION.] *"Legislative advisory commission" means the legislative advisory commission established under section 3.30.*

(d) [MUNICIPALITY.] *"Municipality" means a city or a county for an area located outside the boundaries of a city. If an area lies in two or more cities or in both incorporated and unincorporated areas, municipality shall include an entity formed pursuant to section 471.59 by the governing bodies of the cities with jurisdiction over the incorporated area and the counties with jurisdiction over the unincorporated area.*

Subd. 2. [SUBMISSION OF APPLICATIONS.] On or before July 31 of each year, a municipality seeking designation of an area as an enterprise zone shall submit an application to the commissioner. The commissioner shall establish procedures and forms for the submission of applications for enterprise zone designation.

Subd. 3. [APPLICATIONS; CONTENTS.] The applications for designation as an enterprise zone shall contain, at a minimum:

(a) *verification that the area is eligible for designation pursuant to section 273.1312;*

(b) *a development plan, outlining the types of investment and development within the zone that the municipality expects to take place if the incentives and tax reductions specified under clauses (c) and (d) are provided, including specific investment or development reasonably expected to take place and any commitments obtained from businesses;*

(c) *the specific form of tax reductions, authorized by subdivision 9, proposed to be granted to businesses making new investment in the zones, the duration of the tax reductions, an estimate of the total state taxes likely to be foregone as a result, and a statement of the relationship between the proposed tax reductions and the type of investment or development sought or expected to be attracted to the area if it is designated as a zone;*

(d) *the municipality's contribution to the zone as required by subdivision 6;*

(e) *any additional information required by the commissioner; and*

(f) *any additional information which the municipality considers relevant to the designation of the area as an enterprise zone.*

Clause (b) does not apply to an application for designation under section

273.1312, subdivision 4, paragraph (c), subparagraph (3).

Subd. 4. [EVALUATION OF APPLICATIONS.] The commissioner shall review and evaluate the applications submitted pursuant to subdivision 3 and shall determine whether each area is eligible for designation as an enterprise zone. In determining whether an area is eligible under section 273.1312, subdivision 4, paragraph (c), if unemployment, employment, income or other necessary data are not available for the area from the federal departments of labor or commerce or the state demographer, the commissioner may rely upon other data submitted by the municipality if he determines it is statistically reliable or accurate. The commissioner, in conjunction with the commissioner of revenue, shall prepare an estimate of the amount of state tax revenue which will be foregone for each application if he determines the area is eligible for designation.

On or before September 1 of each year, the commissioner shall submit to the legislative advisory commission a list of the areas eligible for designation as enterprise zones, along with his recommendations for designation and supporting documentation. In making his recommendations for designation, the commissioner shall consider and evaluate the applications pursuant to the following criteria:

(a) the pervasiveness of poverty, unemployment, and general distress in the area;

(b) the extent of chronic abandonment, deterioration or reduction in value of commercial, industrial or residential structures in the area and the extent of property tax arrearages in the area;

(c) the prospects for new investment and economic development in the area with the tax reductions proposed in the application relative to the state and local tax revenue which would be foregone;

(d) the competing needs of other areas of the state;

(e) the funds available pursuant to subdivision 8; and

(f) other relevant factors which he specifies in his recommendations.

The commissioner shall submit a separate list of the areas entitled to designation as enterprise zones under section 273.1312, subdivision 4, paragraph (c), subparagraph (3), along with his recommendations for the amount of funds to be allocated to each area.

Subd. 5. [LAC RECOMMENDATIONS.] On or before September 15 of each year, the legislative advisory commission shall submit to the commissioner its advisory recommendations regarding the designation of enterprise zones. By September 30 of each year, the commissioner shall make the final designation of the areas as enterprise zones, pursuant to section 273.1312, subdivision 2. In making the designation, the commissioner may make modifications in the design of or limitations on the tax reductions contained in the application necessary because of the funding limitations pursuant to subdivision 8.

Subd. 6. [LOCAL CONTRIBUTION.] No area may be designated as an enterprise zone unless the municipality agrees to make a qualifying local contribution in the form of (1) a property tax reduction for employment

property as provided by section 273.1313 for any business qualifying for a state tax reduction pursuant to this section or (2) an equivalent local contribution or investment out of other municipal funds, but excluding any special federal grants or loans. If the local contribution is to be used to fund additional reductions in state taxes, the commissioner and the governing body of the municipality shall enter an agreement for timely payment to the state to reimburse the state for the amount of tax revenue foregone as a result.

Subd. 7. [LIMITATIONS; NUMBER OF DESIGNATIONS.] (a) In each of the two calendar years following and including the effective date of this section, the commissioner shall designate at least three but not more than six areas as enterprise zones. No designations shall be made after December 31, 1984.

(b) No more than one area may be designated as an enterprise zone in any county, except that two areas may be designated in a county containing a city of the first class.

(c) No more than one area in a congressional district may be designated as an enterprise zone in any calendar year.

This subdivision shall not apply to enterprise zones designated pursuant to section 273.1312, subdivision 4, paragraph (c), subparagraph (2) or (3).

Subd. 8. [FUNDING LIMITATIONS.] (a) \$..... is appropriated to the commissioner of revenue from the general fund for the purpose of funding the tax reductions authorized pursuant to designations of enterprise zones under section 273.1312 and this section. \$..... of the total appropriation is the maximum amount which may be authorized by the commissioner for tax reductions pursuant to subdivision 9 that will reduce tax revenues which otherwise would have been received during fiscal years 1984 and 1985. The commissioner shall allocate to enterprise zones designated under section 273.1312, subdivision 4, paragraph (c), subparagraph (3), an amount not less than 80 percent of the total appropriation multiplied by a fraction, the numerator of which is the number of zones designated under section 273.1312, subdivision 4, paragraph (c), subparagraphs (2) and (3), and the denominator of which is the maximum number of enterprise zones which may be designated for the year and the funds shall be allocated among such zones on a per capita basis. Upon designation of an enterprise zone the commissioner shall certify the total amount available for tax reductions in the zone for its duration. The amount certified shall reduce the amount available for tax reductions in other enterprise zones. If subsequent estimates indicate or actual experience shows that the approved tax reductions will result in amounts of tax reductions in excess of the amount certified, the commissioner shall implement a plan to reduce the available tax reductions in the zone to an amount within the sum certified. If subsequent estimates indicate or actual experience shows that the approved tax reductions will result in amounts of tax reductions below the amount certified, the difference shall be available for certification in other zones or used in connection with an amended plan of tax reductions for the zone as the commissioner determines appropriate. If the tax reductions authorized result in reduced revenues for a dedicated fund, the commissioner of finance shall transfer equivalent amounts to the dedicated fund from the general fund as necessary.

(b) The appropriation pursuant to paragraph (a) shall not cancel. The commissioner of finance shall reduce the amount of the appropriation based upon information supplied by the commissioner of revenue that the tax reductions authorized for enterprise zones have or are estimated to have resulted in reduced state tax collections.

Subd. 9. [AUTHORIZED FORMS OF STATE TAX REDUCTIONS.] (a) The following types of tax reductions may be approved by the commissioner for businesses located in an enterprise zone:

(1) An exemption from the general sales tax imposed by chapter 297A for purchases of construction materials or equipment for use in the zone;

(2) A credit against income tax for a percentage of the payroll costs or wages paid to additional workers employed in the zone, other than workers employed in construction;

(3) An income tax credit for a percentage of the cost of debt financing to construct new facilities in the zone;

(4) A state paid property tax credit for a portion of the property taxes paid by a new commercial or industrial facility or the additional property taxes paid by an expansion of an existing commercial or industrial facility in the zone.

(b) The municipality shall specify in its application for designation the types of tax reductions it seeks to be made available in the zone and the percentage rates and other appropriate limitations on the reductions.

(c) Upon designation of an enterprise zone and approval by the commissioner of the tax reductions to be made available therein, the commissioner of revenue shall take the steps necessary to implement the tax reductions.

(d) The tax reductions provided by this subdivision shall not apply to any facility as enumerated in section 103(b)(6)(O) of the Internal Revenue Code of 1954, as amended through January 15, 1983, or to any regulated public utility.

(e) In addition to the tax reductions authorized by paragraph (a), for an enterprise zone designated under section 273.1312, subdivision 4, paragraph (c), subparagraph (3), the following types of tax reductions may be approved:

(1) A credit against income tax for a percentage of the wages paid or other payroll costs for workers employed in the zone;

(2) A state paid property tax credit for a portion of the property taxes paid by a commercial or industrial facility located in the zone; or

(3) A credit against income tax for a portion of the sales tax paid on purchases made by businesses located in the zone for use in connection with their operations in the zone.

Subd. 10. [ADMINISTRATIVE PROCEDURE ACT.] The provisions of chapter 14 shall not apply to designation of enterprise zones pursuant to this section or section 273.1312.

Sec. 11. [INSTRUCTION TO REVISOR.]

If the department of energy, planning, and development no longer exists as

presently constituted, "commissioner" as defined in section 273.1312 and section 10 means the successor to the responsibilities of the planning division of that department. The revisor of statutes shall change the definition as appropriate in Minnesota Statutes 1984, and subsequent editions.

Sec. 12. [REPEALER.]

Section 10 is repealed effective December 31, 1991.

Sec. 13. [APPROPRIATION.]

The following amounts are appropriated to the commissioner of energy, planning, and development for the purpose of administering the enterprise zone law:

FY 1984. \$.....

FY 1985. \$.....

Sec. 14. [EFFECTIVE DATE.]

This article is effective the day following final enactment.

ARTICLE II

Section 1. [459.361] [DEVELOPMENT AND REDEVELOPMENT POWERS.]

Notwithstanding any contrary provision of law or charter, any home rule charter or statutory city may, in addition to its other powers and without limiting them, exercise the powers granted to a governmental subdivision by chapters 458, 462, and 472. Section 458.192, subdivision 14, shall apply to any city in the exercise of the powers granted pursuant to this section. A city may exercise the powers assigned to redevelopment agencies pursuant to chapter 474, without limitation to further the purposes of sections 458.09 to 458.1991, 462.411 to 462.705, and chapters 472 and 472A. It may exercise the powers set forth in sections 458.09 to 458.1991, 462.411 to 462.705, and chapters 472 and 472A, without limitation to further the purposes and policies set forth in chapter 474. Cities may exercise the powers granted by this subdivision and any other development or redevelopment powers authorized by other laws, including chapters 472A and 474, independently or in conjunction with each other as though all the powers had been granted to a single entity. Any project undertaken to accomplish the purposes of chapter 462 that qualifies as single-family housing under section 462C.02, subdivision 4, shall be subject to the provisions of chapter 462C.

Sec. 2. Minnesota Statutes 1982, section 471.59, is amended by adding a subdivision to read:

Subd. 11. [JOINT POWERS BOARD.] Two or more governmental units, through action of their governing bodies, may establish a joint board to exercise any power which any of the governmental units establishing the joint board may independently exercise. A joint board created pursuant to this section may issue obligations and other forms of indebtedness pursuant to authority granted by the action of the governing bodies of the governmental units which established the joint board, provided that the joint board is composed solely of members of the governing bodies of the governmental unit which established the joint board, and further provided that the joint board

may not pledge the full faith and credit or taxing power of any of the governmental units which established the joint board. The obligations or other forms of indebtedness shall be obligations of the joint board and may be secured by the full faith and credit of the joint board. The obligations or other forms of indebtedness shall be issued in the same manner and subject to the same conditions and limitations which would apply if the obligations were issued or indebtedness incurred by one of the governmental units which established the joint board provided that any reference to a governmental unit in the statute, law, or charter provision authorizing the issuance of the bonds or the incurring of the indebtedness shall be considered a reference to the joint board.

Sec. 3. [EFFECTIVE DATE.]

This article is effective the day following final enactment."

Delete the title and insert:

"A bill for an act relating to economic development; changing provisions relating to designation of enterprise zones; authorizing distressed border areas to be designated as enterprise zones under certain circumstances; providing tax and disparity relief measures; giving certain powers and duties to the commissioner of energy, planning, and development; providing consolidated development powers to cities; authorizing joint powers; defining terms; appropriating money; amending Minnesota Statutes 1982, sections 273.13, subdivision 9; 273.1312, subdivisions 2, 3, 4, and 5; 273.1313, subdivisions 1, 2, 3, and 5; and 471.59, by adding a subdivision; proposing new law coded in Minnesota Statutes, chapters 273 and 459."

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

S.F. No. 499: A bill for an act relating to elections; clarifying and correcting certain provisions in the ethics in government act; amending Minnesota Statutes 1982, sections 10A.01, subdivision 5; 10A.04, subdivision 4a; 10A.20, subdivision 5; 10A.25, subdivision 2; and 10A.255, by adding a subdivision; repealing Minnesota Statutes 1982, section 10A.25, subdivision 7.

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

Page 2, after line 1, insert:

"Sec. 2. Minnesota Statutes 1982, section 10A.01, subdivision 19, is amended to read:

Subd. 19. "Office holder" means an individual who holds any statewide or legislative office, except a federal office for which candidates are required to report under federal laws, state supreme court justice ~~or~~, court of appeals judge, district court judge, county court judge, probate court judge, or county municipal court judge.

Sec. 3. Minnesota Statutes 1982, section 10A.02, is amended by adding a

subdivision to read:

Subd. 8a. In compiling and maintaining the lists and summaries required in subdivision 8, clause (g), the board may maintain a group of as many lists of contributors as a candidate has filed during the year under section 10A.20, subdivision 2, and subdivision 3, clause (b), rather than blending the lists together into a single, current alphabetical list of contributors for the year.

Sec. 4. Minnesota Statutes 1982, section 10A.02, subdivision 11, is amended to read:

Subd. 11. The board may investigate any alleged violation of this chapter. The board shall investigate any violation which is alleged in a written complaint filed with the board and, except for alleged violations of section 10A.25 or 10A.27, shall within 30 days after the filing of the complaint make a public finding of whether or not there is probable cause to believe a violation has occurred. In the case of a written complaint alleging a violation of section 10A.25 or 10A.27, the board shall either enter a conciliation agreement or make a public finding of whether or not there is probable cause, within 60 days of the filing of the complaint. The deadline for action on any written complaint may be extended by majority vote of the board. Within a reasonable time after beginning an investigation of an individual or association, the board shall notify that individual or association of the fact of the investigation. The board shall make no finding of whether or not there is probable cause to believe a violation has occurred without notifying the individual or association of the nature of the allegations and affording an opportunity to answer those allegations. Any hearing or action of the board concerning any complaint or investigation ~~other than a finding concerning probable cause or a conciliation agreement~~ shall be confidential *open to the public*. Until the board makes a public finding ~~concerning probable cause or enters a conciliation agreement~~:

(a), no member, employee or agent of the board shall disclose to any individual any information obtained by that member, employee or agent concerning any complaint or investigation except as required to carry out the investigation or take action in the matter as authorized by this chapter;

(b) ~~No individual who files or is the subject of any written complaint or supplies information to the board concerning a complaint or investigation shall disclose to any other individual any information supplied to or received from the board concerning the complaint or investigation; and~~

(c) ~~Notwithstanding the provisions of clause (b), any individual subject to the provisions of that clause may reveal any information to his attorney or another individual from whom he seeks advice or guidance in the matter, or to any other individual who is subject to the provisions of clause (b) with respect to the same complaint or investigation; provided that any individual to whom information concerning a complaint or investigation is revealed as provided in this clause shall not disclose that information to any other individual. Any individual who discloses information contrary to the provisions of this subdivision shall be guilty of a misdemeanor. Except as provided in section 10A.28, after the board makes a public finding of probable cause the board shall report that finding to the appropriate law enforcement authorities."~~

Page 2, after line 14, insert:

“Sec. 6. Minnesota Statutes 1982, section 10A.18, is amended to read:

10A.18 [BILLS WHEN RENDERED AND PAID.]

Every person who has a bill, charge or claim against any political committee or political fund for any expenditure shall, *to the extent practicable*, render in writing to the treasurer of the committee or fund the bill, charge or claim within 60 days after the material or service is provided. ~~Failure to so present the bill, charge or claim is a misdemeanor.~~

Sec. 7. Minnesota Statutes 1982, section 10A.20, subdivision 3, is amended to read:

Subd. 3. Each report under this section shall disclose:

(a) The amount of liquid assets on hand at the beginning of the reporting period;

(b) The name, address and employer, or occupation if self-employed, of each individual, political committee or political fund who *since the beginning of the year, or since the most recent report was filed by the political committee or political fund* within the year has made one or more transfers or donations in kind to the political committee or political fund, including the purchase of tickets for all fund raising efforts, which in aggregate exceed \$50 for legislative candidates or \$100 for statewide candidates or ballot questions, together with the amount and date of each transfer or donation in kind, and the aggregate amount of transfers and donations in kind within the year from each source so disclosed. A donation in kind shall be disclosed at its fair market value. An approved expenditure is listed as a donation in kind. A donation in kind is considered consumed in the reporting period in which it is received. The names of contributors shall be listed in alphabetical order;

(c) The sum of contributions to the political committee or political fund during the reporting period;

(d) Each loan made or received by the political committee or political fund within the year in aggregate in excess of \$100, continuously reported until repaid or forgiven, together with the name, address, occupation and the principal place of business, if any, of the lender and any endorser and the date and amount of the loan. If any loan made to the principal campaign committee of a candidate is forgiven at any time or repaid by any entity other than that principal campaign committee, it shall be reported as a contribution for the year in which the loan was made;

(e) Each receipt in excess of \$100 not otherwise listed under clauses (b) to (d);

(f) The sum of all receipts of the political committee or political fund during the reporting period;

(g) The name and address of each individual or association to whom aggregate expenditures, including approved expenditures, have been made by or on behalf of the political committee or political fund within the year in excess of \$100, together with the amount, date and purpose of each expenditure and the name and address of, and office sought by, each candidate on whose behalf the expenditure was made, identification of the ballot question

which the expenditure is intended to promote or defeat, and in the case of independent expenditures made in opposition to a candidate, the name, address and office sought for each such candidate;

(h) The sum of all expenditures made by or on behalf of the political committee or political fund during the reporting period;

(i) The amount and nature of any advance of credit incurred by the political committee or political fund, continuously reported until paid or forgiven. If any advance of credit incurred by the principal campaign committee of a candidate is forgiven at any time by the creditor or paid by any entity other than that principal campaign committee, it shall be reported as a donation in kind for the year in which the advance of credit was incurred;

(j) The name and address of each political committee, political fund, or principal campaign committee to which aggregate transfers in excess of \$100 have been made within the year, together with the amount and date of each transfer;

(k) The sum of all transfers made by the political committee, political fund, or principal campaign committee during the reporting period;

(l) For principal campaign committees only, the sum of noncampaign disbursements made in each category listed in section 10A.01, subdivision 10c during the reporting period; and

(m) The sum of all noncampaign disbursements made by the political committee, political fund, or principal campaign committee during the reporting period.”

Page 2, line 20, after “totaling” insert “*more than*”

Page 2, line 20, strike “or more” and insert “*to a candidate for state house of representatives or more than \$400 to a candidate for state senate*”

Page 2, line 24, before the period, insert “; *except that the 48 hour notice requirement does not apply with respect to primary elections where the statewide or legislative candidate is unopposed in that primary*”

Page 2, after line 25, insert:

“Sec. 9. Minnesota Statutes 1982, section 10A.20, subdivision 12, is amended to read:

Subd. 12. (a) The board shall notify by certified mail or personal service any individual who fails to file a statement required by this section.

(b) If an individual fails to file a statement due January 31 within seven days after receiving a notice, the board may impose a late filing fee of \$5 per day, not to exceed \$100, commencing on the eighth day after receiving notice.

(c) If an individual fails to file a statement due before any primary or election within three days of the date due, regardless of whether the individual has received any notice, the board may impose a late filing fee of \$50 per day, not to exceed \$500, commencing on the fourth day after the date the statement was due; *except that no late filing fee may be imposed for the first violation of subdivision 5.*

(d) The board shall further notify by certified mail or personal service any

individual who fails to file any statement within 14 days after receiving a first notice from the board that the individual may be subject to a criminal penalty for failure to file a statement. An individual who knowingly fails to file the statement within seven days after receiving a second notice from the board is guilty of a misdemeanor.

Sec. 10. Minnesota Statutes 1982, section 10A.24, is amended to read:

10A.24 [DISSOLUTION OR TERMINATION.]

Subdivision 1. No political committee or political fund shall dissolve until it has settled all of its debts and disposed of all its assets in excess of \$100 and filed a termination report. The termination report may be made at any time and shall include all information required in periodic reports.

Subd. 2. Notwithstanding the provisions of subdivision 1, after mailing notice to any remaining creditors by certified mail, a political committee or political fund that has debts which were incurred more than six years previously, has disposed of all its assets, and has met the requirements of section 10A.20, subdivision 7, may file a termination report."

Page 2, line 35, strike "\$600,000" and insert "\$1,270,800"

Page 3, line 1, strike "\$100,000" and insert "\$211,800"

Page 3, line 3, strike "\$50,000" and insert "\$105,900"

Page 3, line 5, strike "\$15,000" and insert "\$31,770"

Page 3, line 7, strike "\$7,500" and insert "\$15,885"

Page 3, line 12, after "year" insert a comma

Page 3, line 14, delete ", subdivision 2"

Page 3, after line 14, insert:

"Sec. 13. Minnesota Statutes 1982, section 10A.32, subdivision 3, is amended to read:

Subd. 3. As a condition of receiving any money from the state elections campaign fund, a candidate shall agree by stating in writing to the board that ~~(a) his expenditures and approved expenditures shall not exceed the expenditure limits as set forth in section 10A.25 and that (b) he shall not accept contributions or allow approved expenditures to be made on his behalf for the period beginning with January 1 of the election year or with the registration of his principal campaign committee, whichever occurs later, and ending December 31 of the election year, which aggregate contributions and approved expenditures exceed the difference between the amount which may legally be expended by him or on his behalf, and the amount which he receives from the state elections campaign fund. The agreement, insofar as it relates to the expenditure limits set forth in section 10A.25, remains effective until the dissolution of the principal campaign committee of the candidate or the opening of filings for the next succeeding election to the office held or sought at the time of agreement, whichever occurs first. Money in the account of the principal campaign committee of a candidate on January 1 of the election year for the office held or sought shall be considered contributions accepted by that candidate in that year for the purposes of this subdivision. That amount of all contributions accepted by a candidate in an election year which equals the~~

~~amount of noncampaign disbursements and contributions and expenditures to promote or defeat a ballot question which are made by that candidate in that year shall not count toward the aggregate contributions and approved expenditure limit imposed by this subdivision. Any amount by which his aggregate contributions and approved expenditures agreed to under clause (b) exceed the difference shall be returned to the state treasurer in the manner provided in subdivision 2. In no case shall the amount returned exceed the amount received from the state elections campaign fund.~~

The candidate may submit his signed agreement to the filing officer on the day he files his affidavit of candidacy or petition to appear on the ballot, or he may submit the agreement to the board no later than September 1.

The board prior to the first day of filing for office shall forward forms for the agreement to all filing officers. The filing officer shall without delay forward signed agreements to the board. An agreement may not be rescinded after September 1.

~~For the purposes of this subdivision only, the total amount to be distributed to each candidate is calculated to be his share of the total estimated funds in his party account as provided in subdivision 3a, plus the total amount estimated as provided in subdivision 3a to be in the general account of the state elections campaign fund and set aside for that office divided by the number of candidates whose names are to appear on the general election ballot for that office. If for any reason the amount actually received by the candidate is greater than his share of the estimate, and his contributions thereby exceed the difference, the agreement shall not be considered violated.~~

Sec. 14. Minnesota Statutes 1982, section 210A.24, is amended to read:

210A.24 [BILLS, WHEN RENDERED AND PAID.]

Every person who ~~shall have~~ *has* any bill, charge, or claim upon or against any personal campaign ~~committee~~, or party committee, *political fund*, or any candidate, for any disbursement made, services rendered, or thing of value furnished, for political purposes, or incurred in any manner in relation to any primary or election, shall, *to the extent practicable*, render in writing to ~~such~~ *that* committee, *fund*, or candidate ~~such~~ *the* bill, charge, or claim within ~~ten~~ *60* days after the day of the primary or election in connection with which ~~such~~ *the* bill, charge, or claim was incurred. ~~No candidate and no personal campaign or party committee shall pay any bill, charge, or claim so incurred prior to any primary or election, which is not so presented within ten days after such primary or election.~~

Sec. 15. [RETURN OF LATE FILING FEE.]

The prohibition against a late filing fee for the first violation of section 10A.20, subdivision 5, as provided under section 9, is retroactive to September 1, 1982. Any late filing fee imposed by the ethical practices board for the first violation of that subdivision after September 1, 1982, shall be returned to the individual who or principal campaign committee which paid the fee. Any money returned under this section shall be paid by the state treasurer out of the general fund."

Page 3, line 16, delete "section" and insert "sections 10A.01, subdivision 11a, and"

Page 3, line 16, delete "is" and insert "are"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 3, after the semicolon, insert "changing the late filing fee that may be imposed under certain circumstances; providing for the termination of certain political committees or political funds under certain circumstances; changing the conditions of receiving and returning money from the state elections campaign fund; providing for the reporting of certain contributions received just prior to an election; making open to the public certain hearings conducted by the board; Fair Campaign Practices Act;"

Page 1, line 5, delete "subdivision 5" and insert "subdivisions 5 and 19"

Page 1, line 5, before "10A.04" insert "10A.02, subdivision 11, and by adding a subdivision;"

Page 1, line 5, before "10A.20" insert "10A.18;"

Page 1, line 6, delete "subdivision 5" and insert "subdivisions 3, 5, and 12"

Page 1, line 6, before "10A.25" insert "10A.24;"

Page 1, line 6, delete "and"

Page 1, line 7, after the semicolon, insert "10A.32, subdivision 3; and 210A.24;"

Page 1, line 8, delete "section" and insert "sections 10A.02, subdivision 11a; and"

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

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

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

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

Page 8, after line 22, insert:

"Sec. 7. [136.031] [CARRY OVER AUTHORITY.]

The state university board may carry over the net unappropriated fund balance as of June 30 of the first year of a biennium into the second year of a biennium. The board may carry over two percent of the net unappropriated fund balance as of June 30 of the second year of a biennium into the following biennium. This money shall not be taken into account in determining state appropriations.

Sec. 8. Minnesota Statutes 1982, section 136.144, is amended to read:

136.144 [PROMOTION OF UNIVERSITY; ACCEPTANCE OF GIFTS.]

The board may receive and accept on behalf of the state and for the state universities any gift, bequest, devise, endowment, or grant in the form of cash which any person, firm, corporation, association, or governmental agency may make to the board by will, deed, gift, or otherwise to carry out the purposes of section 136.143. Unless otherwise so expressed in the terms of the gift, bequest, devise, endowment, or grant, moneys so received are not subject to the laws requiring budgeting, allotment, and encumbrance as provided in chapter 16A, or otherwise. ~~Such moneys~~ This money shall be deposited in the state treasury and ~~are hereby~~ is appropriated to the board for use ~~in accordance with~~ according to this section. ~~This money shall not be taken into account in determining appropriations or allocations.~~

Sec. 9. Minnesota Statutes 1982, section 136.67, is amended by adding a subdivision to read:

Subd. 5. [CARRY OVER AUTHORITY.] The community college board may carry over the net unappropriated fund balance as of June 30 of the first year of a biennium into the second year of a biennium. The board may carry over two percent of the net unappropriated fund balance as of June 30 of the second year of a biennium into the following biennium. This money shall not be taken into account in determining state appropriations.

Sec. 10. [135A.01] [FUNDING POLICY.]

It is the policy of the legislature that state appropriations for the instructional services at public post-secondary institutions reflect the cost of providing the instructional services.

Sec. 11. [135A.03] [APPLICABILITY.]

The total cost of providing instructional services shall be used to appropriate money to the board of regents of the University of Minnesota, state university board, state board for community colleges, and the state board for vocational education to the extent the money is for instructional services.

Sec. 12. [135A.05] [APPROPRIATIONS FOR INSTRUCTIONAL SERVICE.]

Subdivision 1. [DETERMINATION OF APPROPRIATION.] The appropriation for each board, designated in section 11, for instructional services shall equal the total cost of instruction minus the estimated tuition revenue. Each year the appropriation shall be adjusted in proportion to increases or decreases in the total cost of instruction for fiscal year 1984.

Subd. 2. [DETERMINATION OF TOTAL COST OF INSTRUCTION.] The total cost of instruction shall be calculated in the following manner:

(a) Determine the student enrollment, for each instructional category, for the fiscal year two years before the fiscal year for which the appropriation is made.

(b) Multiply the student enrollment by the average cost of instruction per student in each instructional category.

(c) Add the resulting products.

Subd. 3. [DETERMINATION OF STUDENT ENROLLMENT.] Student enrollment shall be the full-year equivalent or average daily membership enrollment in each instructional category in the fiscal year two years before the fiscal year for which the appropriations are being made. Student enrollment may be estimated on the basis of the fall enrollment. Student enrollment shall exclude students enrolled during a summer session, except when the instructional program is provided during the entire calendar year. Each board shall submit by December 1 of each year the student enrollment data necessary to determine appropriations. The data shall be submitted to the education and finance committees of the senate and the education and appropriations committees of the house of representatives.

Subd. 4. [DETERMINATION OF AVERAGE COST OF INSTRUCTION.] (a) The average cost of instruction shall include direct instructional costs and other costs necessary to provide instruction, such as fees, facilities, administration, and support. The average cost of instruction shall not include summer session costs, except when the instructional program is provided during the entire calendar year.

(b) Appropriations shall be based on the average cost of instruction for fiscal year 1984. The fiscal year 1984 average cost of instruction may be adjusted to reflect changes from fiscal year 1984 to the fiscal year for which appropriations are made.

(c) Each board shall submit by December 1, 1983, its average cost of instruction for each instructional category for the 1984 fiscal year. Annually thereafter by December 1, each board shall submit the average cost of instruction for each instructional category as necessary to determine appropriations. The information shall be submitted to the education and finance committees of the senate and the education and appropriations committees of the house of representatives.

Subd. 5. [INSTRUCTIONAL CATEGORIES.] Student enrollment and average cost of instruction shall be determined by cost of program and level of instruction.

Sec. 13. [135A.17] [VARIABLE TUITION.]

The board of regents of the University of Minnesota, state university board, state board for community colleges, and state board for vocational education shall establish tuition. Tuition may vary by program, level of instruction, cost of instruction, or other classifications determined by each board.

Sec. 14. [135A.19] [TUITION REVENUE FOR EACH BOARD.]

Subdivision 1. [PERCENT OF COST OF INSTRUCTION.] By the 1985-1986 school year, the board of regents of the University of Minnesota, state university board, and board for community colleges shall establish tuition in a manner that percent of the total cost of instruction is derived from tuition. The state board for vocational education shall establish tuition in a manner that percent of the total cost of instruction is derived from tuition. Tuition shall be gradually increased for the 1983-1984 and 1984-1985 school years.

Sec. 15. [135A.07] [COMMISSIONER OF FINANCE.]

Each year the commissioner of finance shall review and comment on the methodology used to: determine instructional costs, categorize programs by level of instruction and level of cost, and establish tuition. The commissioner shall submit a report by January 1 to the education and finance committees of the senate and the education and appropriations committees of the house of representatives."

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 5, after the second semicolon, insert "authorizing the state university board to carry over certain net unappropriated fund balances; providing that certain moneys shall not be taken into account in determining appropriations or allocations; authorizing the community college board to carry over certain net unappropriated fund balances; establishing a method of determining appropriations for instructional services for the University of Minnesota, state university board, state board for community colleges, and the state board for vocational education; authorizing certain post-secondary boards to establish variable tuition; providing for certain post-secondary boards to establish tuition in a manner that reflects the total cost of instruction; providing for review and comment on certain methodologies by the commissioner of finance;"

Page 1, line 6, after "sections" insert "136.144; 136.67, by adding a subdivision;"

Page 1, line 8, delete "chapter" and insert "chapters 135A, 136 and"

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

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

S.F. No. 884: 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.

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

Pages 1 and 2, delete section 1

Page 4, line 29, before "For" insert "(a)"

Page 5, line 5, strike "(a)" and insert "(1)" and strike "mills" and insert "mill"

Page 5, line 9, delete "(b)" and insert "(2)"

Page 5, line 11, delete "(c)" and insert "(3)"

Page 5, line 14, before the first "The" insert "(b)"

Page 5, line 17, after the comma, insert "*except for differences in the rate due to apportionment of the levy pursuant to section 270.12, subdivision 3,*"

Page 5, line 18, delete "(a)" and insert "(1)"

Page 5, line 23, delete "(b)" and insert "(2)"

Page 8, after line 15, insert:

"Sec. 10. [REPEALER.]

Minnesota Statutes 1982, section 174.265, is repealed."

Page 8, line 17, delete "2 to 8" and insert "1 to 7"

Page 8, line 19, after the period, insert "*Section 10 is effective the day following final enactment with respect to communities that had not had an application for financial assistance approved pursuant to section 174.265 prior to the date of enactment of this act.*"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 9, delete "174.265, subdivision 4;"

Page 1, line 13, before the period, insert ";; repealing Minnesota Statutes 1982, section 174.265"

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

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

S.F. No. 661: A bill for an act relating to taxation; providing for apportionment of property tax refund claims for unrelated persons occupying a homestead; amending Minnesota Statutes 1982, sections 290A.03, subdivisions 8 and 13; and 290A.05.

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

Page 2, line 28, before "If" insert "*Except as provided in section 290A.05,*" and reinstate the stricken "renters"

Page 2, line 29, delete "*claimants*" and insert "*or joint tenants or tenants in common*"

Page 4, lines 4 to 11, reinstate the stricken language

Page 4, line 4, after the reinstated "INCOME" insert a semicolon

Page 4, line 7, after the reinstated "dependents," insert "*joint tenants or tenants in common who are also claimants,*"

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. 378: A bill for an act relating to taxation; extending availability of confession of judgment procedure to certain non-homestead property; amending Minnesota Statutes 1982, section 279.37, subdivision 1.

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

Page 1, lines 14 and 15, strike "such" and insert "the"

Page 1, line 16, strike "said" and insert "the"

Page 1, line 17, strike the second "provided" and insert "except" and strike "only"

Page 1, line 18, reinstate the stricken "as"

Page 1, lines 20 and 21, delete the new language and insert "*vacant land, mineral property which is industrial employment property, or commercial or industrial property*"

Page 1, line 21, after "shall" insert "not"

Page 1, after line 22, insert:

"Sec. 2. Minnesota Statutes 1982, section 279.37, subdivision 3, is amended to read:

Subd. 3. Upon the receipt of ~~said~~ the offer and payment of the ~~sums herein~~ *sum* required, the ~~said~~ auditor shall *notify the county board of the offer. If the county board approves the offer, the auditor shall note the same* it upon his records and shall ~~forthwith~~ *file* ~~said~~ the offer and confession of judgment with the clerk of the district court of the county who is ~~hereby~~ directed to enter judgment in accordance with ~~said~~ the offer. *If the county board does not approve the offer within 30 days of its notification by the county auditor, confession of judgment will not be allowed for the property, and the amount remitted pursuant to subdivision 2 shall be returned to the payor.*"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 5, delete "subdivision 1" and insert "subdivisions 1 and 3"

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. 664: A bill for an act relating to the city of St. Cloud; authorizing the creation of a downtown parking district; providing for its finances.

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

Page 1, line 8, delete "8" and insert "7"

Page 3, line 20, delete "8" and insert "7" and delete "which are in" and insert a period

Page 3, delete line 21

Page 4, delete section 6

Renumber the sections in sequence

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. 1105: A bill for an act relating to state lands; providing for the conveyance of certain state land to the city of St. Peter for use as a roadway.

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

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

S.F. No. 987: A bill for an act relating to natural resources; eliminating obsolete material and updating certain provisions relating to decorative trees; amending Minnesota Statutes 1982, sections 88.641, subdivision 1; 88.642; 88.643; 88.644; and 88.648; repealing Minnesota Statutes 1982, sections 88.641, subdivision 3; 88.646; and 88.649.

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

Page 1, line 22, strike "any" and insert "*more than three*"

Page 1, line 23, strike "tree" and insert "*trees*"

Pages 2 and 3, delete section 3

Page 3, line 26, after "possession" insert "*more than three*"

Page 3, line 27, strike "for sale or processing"

Page 3, line 32, strike "June 30th" and insert "*January 31st*"

Page 4, line 22, after the semicolon, insert "88.643;"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 5, delete "88.643;"

Page 1, line 7, after the first semicolon, insert "88.643;"

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

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

H.F. No. 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.

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

as follows:

Amend the title as follows:

Page 1, line 2, delete "clarifying" and insert "eliminating the separate license for"

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. 486: A bill for an act relating to agriculture; appropriating money for the Minnesota barley improvement association; providing for repayment to the state.

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

Page 1, line 22, delete "*sum of \$15,000 in reimbursement*" and insert "*amount required to reimburse the state*"

Page 2, delete section 2

Amend the title as follows:

Page 1, line 3, delete "improvement association" and insert "research and promotion council"

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

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

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

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

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

S.F. No. 881: A bill for an act relating to local and urban government; providing for the inventory, classification, and protection of aggregate deposits or resources within the state; proposing new law coded in Minnesota Statutes, chapter 84.

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

Page 1, line 10, delete "FINDINGS AND" and delete "*The legislature*"

Page 1, delete lines 11 to 18

Page 1, line 19, delete everything before "*It*"

Page 1, line 23, delete "*land-use planning*" and insert "*comprehensive*

planning and land use controls'

Page 1, after line 23, insert:

"Subd. 2. [DEFINITION.] For the purpose of this section, "municipality" means a home rule charter or statutory city, or a town."

Page 1, line 24, delete *"Prior to"*

Page 1, line 25, delete *"July 1, 1984,"*

Page 2, line 1, after *"development"* insert *", outside of the metropolitan area as defined in section 473.121"*

Page 2, line 9, after *"areas"* insert *"of the state"*

Page 2, line 14, delete *"Undiscovered"* and insert *" Potential"*

Page 2, line 19, delete *"department of natural"*

Page 2, line 20, delete *"resources shall transmit"* and after *"classification"* insert *"shall be transmitted"*

Page 2, line 22, delete *"appropriate county or municipal"* and after *"authority"* insert *"of the appropriate county and municipality"*

Page 2, line 23, after the period, insert *"The county planning authority shall notify owners of land classified under this subdivision by publication in a newspaper of general circulation in the county or by mail."*

Page 2, line 24, delete *"Prior to January 1, 1985,"*

Page 2, line 25, delete *"county or municipal"* and after *" authority"* insert *"of a county or municipality"*

Page 2, line 26, delete *"2"* and insert *"3"*

Page 2, line 30, delete *"3"* and insert *"4"*

Page 2, line 31, delete everything after *"action"*

Page 2, line 32, delete *"development"* and insert *"under a land use control ordinance"*

Page 3, delete subdivisions 5 and 6

Renumber the subdivisions in sequence

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. 244: A bill for an act relating to the environment; providing for the statewide open burning of leaves in the spring and fall as governed by local ordinances; amending Minnesota Statutes 1982, section 116.082.

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

Page 1, line 15, before *"may"* insert *"if it is not located in an area designated as a primary or secondary nonattainment area for carbon monoxide"*

under the federal clean air act.”

Page 1, line 16, after “leaves” insert “*at appropriate sites established for that purpose*”

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. 985: A bill for an act relating to game and fish; penalty for taking or illegally possessing big game during the closed season; shining of wild animals; amending Minnesota Statutes 1982, sections 97.55, subdivision 9; and 100.29, subdivision 10.

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

Page 1, line 13, strike the first comma

Page 1, line 14, strike the first comma and strike “, or” and insert a semicolon

Page 1, line 15, strike the comma and delete “or” and insert a semicolon

Page 1, line 17, delete the comma and insert a semicolon

Pages 1 and 2, delete section 2 and insert:

“Sec. 2. Minnesota Statutes 1982, section 100.29, subdivision 8, is amended to read:

Subd. 8. It shall be unlawful to hunt or trap, or assist therein, in any ~~territory~~ zone open for the taking of deer with the use of firearms, during such open season, unless the visible portion of the hunter’s or trapper’s cap and outer garments, above the waist excluding sleeves if any and excluding gloves, shall be ~~bright red or~~ blaze orange or covered therewith *or a combination of bright red and blaze orange which includes at least a blaze orange cap, vest or jacket.*”

Amend the title as follows:

Page 1, line 4, delete “shining of wild animals” and insert “requiring hunters and trappers to wear a blaze orange cap, vest, or jacket during the firearm deer season”

Page 1, line 6, delete “10” and insert “8”

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. 922: A bill for an act relating to natural resources; authorizing the commissioner to sell to or exchange surplus tree planting stock with other states and the federal government under certain circumstances; amending Minnesota Statutes 1982, section 89.36, by adding a subdivision.

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

Page 1, line 14, after "*stock*" insert "*and seed*"

Page 1, line 18, delete "*or*"

Page 1, line 20, after "*commissioner*" insert "; and (4) to utilize tree planting stock or seed not needed for the reforestation program in the state"

Page 1, line 20, after the period, insert "*The commissioner's authority to acquire tree planting stock under this subdivision is limited to not more than five tree species per year. The minimum quantity he may acquire of any species is 20,000 trees.*"

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. 733: A bill for an act relating to game and fish; licensing and record keeping by certain licensees; amending Minnesota Statutes 1982, sections 98.46, subdivision 5; and 98.51, subdivisions 2, 3, and by adding a subdivision.

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

Page 1, line 14, delete "*records*"

Page 1, line 14, strike "*in the English language*" and insert "*records*"

Page 3, lines 13 and 14, reinstate the stricken language

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. 1114: A bill for an act relating to natural resources; authorizing additions to and deletions from certain state parks and waysides; authorizing land acquisition in relation thereto.

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

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

H.F. No. 987 for comparison with companion Senate File, reports the following House File was found not identical with its companion Senate File as follows:

GENERAL ORDERS		CONSENT CALENDAR		CALENDAR	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F.No.	S.F.No.
987	926				

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H.F. No. 987 be amended as follows:

Page 1, line 14, delete "*those*"

Page 1, line 14, after "*investments*" insert "*of the type*"

And when so amended H.F. No. 987 will be identical to S.F. No. 926, and further recommends that H.F. No. 987 be given its second reading and substituted for S.F. No. 926, and that the Senate File be indefinitely postponed.

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

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

H.F. No. 725 for comparison with companion Senate File, reports the following House File was found not identical with its companion Senate File as follows:

GENERAL ORDERS		CONSENT CALENDAR		CALENDAR	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F.No.	S.F.No.
725	818				

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H.F. No. 725 be amended as follows:

Page 2, after line 22, insert:

"Sec. 3. Minnesota Statutes 1982, section 161.241, subdivision 3, is amended to read:

Subd. 3. ~~Upon recommendation of the commissioner of transportation. The governor~~ *commissioner* shall convey to the railroad company, by quit claim deed, ~~such~~ lands or interests in lands acquired by the state pursuant to the provisions of subdivisions 1 to 3."

Page 8, line 15, delete "*5, 6, and 7*" and insert "*6, 7, and 8*"

Renumber the sections in sequence

Amend the title as follows

Page 1, line 18, delete "*subdivision*" and insert "*subdivisions 3 and*"

And when so amended H.F. No. 725 will be identical to S.F. No. 818, and further recommends that H.F. No. 725 be given its second reading and substituted for S.F. No. 818, and that the Senate File be indefinitely postponed.

Pursuant to Rule 49, this report was prepared and submitted by the Secre-

tary of the Senate on behalf of the Committee on Rules and Administration. Amendments adopted. Report adopted.

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

H.F. No. 592 for comparison with companion Senate File, reports the following House File was found not identical with its companion Senate File as follows:

GENERAL ORDERS		CONSENT CALENDAR		CALENDAR	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F.No.
592			666		

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H.F. No. 592 be amended as follows:

Page 1, line 19, strike "therefor"

And when so amended H.F. No. 592 will be identical to S.F. No. 666, and further recommends that H.F. No. 592 be given its second reading and substituted for S.F. No. 666, and that the Senate File be indefinitely postponed.

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

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

H.F. No. 513 for comparison with companion Senate File, reports the following House File was found not identical with its companion Senate File as follows:

GENERAL ORDERS		CONSENT CALENDAR		CALENDAR	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
513	494				

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H.F. No. 513 be amended as follows:

Page 2, line 1, strike "Date" and insert "*Day, month, and year*"

Page 2, line 7, after "day" insert a comma and reinstate the stricken "that"

Page 2, line 8, after the stricken "correct" insert "I"

page 2, line 11, delete "and"

Page 2, line 12, after the comma insert "*that I*"

Page 2, line 14, delete "and" and insert "*that I*"

Page 2, line 25, strike "No" and insert "(a) A" and after "registration" insert "card"

Page 2, line 26, strike "contains" and insert "*does not contain*" and

delete “date” and insert “day, month, and year”

Page 2, line 27, after “registration” insert a comma and after “any” insert a comma

Page 2, line 30, strike “No” and insert “An”

Page 2, line 31, strike “may” and insert “shall” and strike “unless” and insert “if”

Page 2, line 32, strike everything after “deficient”

Page 2, line 33, strike everything up to the period

Delete Page 2, line 34 to page 3, line 4 and insert:

“(b) Notwithstanding the provisions of paragraph (a), a registration card completed by the voter and on file with the county or municipality prior to the effective date of this act is not deficient if it otherwise complies with the requirements of paragraph (a) except that it does not contain the voter’s day, month, and year of birth. With respect to such registrations, the county or municipality may request at any time except at the polling place that the voter supply his day and month of birth. A voter who fails to supply this information after being requested to do so may not be prevented from voting for the reason of registration card deficiency.”

Page 3, delete lines 5 to 22

Page 4, delete lines 23 to 25

Amend the title as follows:

Page 1, line 7, delete the first comma and insert “and” and delete “, and 6”

Page 1, line 8, delete “; repealing”

Page 1, delete line 9

Page 1, line 10, delete “7”

And when so amended H.F. No. 513 will be identical to S.F. No. 494, and further recommends that H.F. No. 513 be given its second reading and substituted for S.F. No. 494, and that the Senate File be indefinitely postponed.

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

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

H.F. No. 697 for comparison with companion Senate File, reports the following House File was found not identical with its companion Senate File as follows:

GENERAL ORDERS		CONSENT CALENDAR		CALENDAR	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
697	825				

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H.F. No. 697 be amended as follows:

Page 2, line 21, after "*participants*" insert a comma and delete "*such*" and insert "*the*"

Page 2, line 22, delete "*such*" and insert "*the*"

Page 2, line 24, delete the first "*such*" and delete the second "*such*" and insert "*the*"

Page 2, line 25, delete "*pro rata*" and insert "*pro-rata*"

Page 3, line 11, after "*subdivision 3*" insert a comma

And when so amended H.F. No. 697 will be identical to S.F. No. 825, and further recommends that H.F. No. 697 be given its second reading and substituted for S.F. No. 825, and that the Senate File be indefinitely postponed.

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

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

H.F. No. 760 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.
760	719				

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. 830 for comparison with companion Senate File, reports the following House File was found not identical with its companion Senate File as follows:

GENERAL ORDERS		CONSENT CALENDAR		CALENDAR	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
830	740				

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H.F. No. 830 be amended as follows:

Page 2, line 34, after “homes” insert a stricken period

Page 2, line 36, delete “years” and insert “years”

Page 3, line 1, after “homes” insert a comma

Page 3, line 1, underline the period

And when so amended H.F. No. 830 will be identical to S.F. No. 740, and further recommends that H.F. No. 830 be given its second reading and substituted for S.F. No. 740, and that the Senate File be indefinitely postponed.

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

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

H.F. No. 239 for comparison with companion Senate File, reports the following House File was found not identical with its companion Senate File as follows:

GENERAL ORDERS		CONSENT CALENDAR		CALENDAR	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
239	357				

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H.F. No. 239 be amended as follows:

Page 1, line 17, reinstate the stricken language

Page 1, line 18, reinstate the stricken language and delete the new language

Page 1, lines 20 and 21, delete the new language

Page 1, line 25, after the period, delete the new language

Page 1, delete lines 26 and 27

Page 2, lines 2 and 3, delete the new language

And when so amended H.F. No. 239 will be identical to S.F. No. 357, and further recommends that H.F. No. 239 be given its second reading and substituted for S.F. No. 357, and that the Senate File be indefinitely postponed.

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

Amendments adopted. Report adopted.

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

H.F. No. 610 for comparison with companion Senate File, reports the following House File was found not identical with its companion Senate File as follows:

GENERAL ORDERS		CONSENT CALENDAR		CALENDAR	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
				610	609

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H.F. No. 610 be amended as follows:

Page 5, line 6, delete "*yield on the original loan.*" and insert "*maximum rate of interest provided by this subdivision when such prepayment is taken into account.*"

Page 9, lines 2 and 3, delete "*yield on the original loan.*" and insert "*maximum rate of interest provided by this section when such prepayment is taken into account.*"

Page 10, line 18, reinstate the stricken language and delete the new language

And when so amended H.F. No. 610 will be identical to S.F. No. 609, and further recommends that H.F. No. 610 be given its second reading and substituted for S.F. No. 609, and that the Senate File be indefinitely postponed.

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

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

H.F. No. 909 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.
		909	865		

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. 804 for comparison with companion Senate File, reports the following House File was found not identical with its companion Senate File as follows:

GENERAL ORDERS		CONSENT CALENDAR		CALENDAR	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
		804	716		

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H.F. No. 804 be amended as follows:

Page 1, line 9, delete "*Subdivision 1. [FEE.]*"

Page 1, line 9, after "~~such~~" insert "*a*" and reinstate "~~salary~~"

Page 1, lines 9 and 10, delete the new language

Page 1, line 11, strike "his" and delete the new language and before "record" insert "*a*"

Page 1, line 12, delete the new language and strike "thereof" and insert "*of it*"

Page 1, line 14, strike "thereof" and insert "*of it*"

Page 1, line 15, reinstate "~~This section~~" and after "~~shall~~" insert "*does*" and reinstate "~~not apply to the~~"

Page 1, line 16, before "~~fourth~~" insert "*second and*" and reinstate "~~fourth judicial~~"

Page 1, line 16, after "~~district~~" insert "*districts*" and reinstate the period

Page 1, after line 16 insert:

"Sec. 2. [486.10] [TRANSCRIPT FEES; SECOND JUDICIAL DISTRICT.]

Subdivision 1. [FEE.] In addition to the salary specified in section 486.05, a court reporter in the second judicial district may charge the following fees when a transcript is ordered by any person other than the judge:

(a) thirty-five cents per original folio; and

(b) seven and one-half cents for each manifold or other copies when so ordered that they can be made with the original transcript."

Page 1, line 18, after the second "*the*" insert "*second*"

Amend the title as follows:

Page 1, line 2, after "fees" insert "in the second judicial district"

Page 1, line 3, before the period insert "; proposing new law coded in Minnesota Statutes, chapter 486"

And when so amended H.F. No. 804 will be identical to S.F. No. 716, and further recommends that H.F. No. 804 be given its second reading and substituted for S.F. No. 716, and that the Senate File be indefinitely postponed.

Pursuant to Rule 49, this report was prepared and submitted by the Secre-

tary of the Senate on behalf of the Committee on Rules and Administration. Amendments adopted. Report adopted.

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

H.F. No. 730 for comparison with companion Senate File, reports the following House File was found not identical with its companion Senate File as follows:

GENERAL ORDERS		CONSENT CALENDAR		CALENDAR	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
		730	781		

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H.F. No. 730 be amended as follows:

Page 1, line 2, strike "Any" and insert "A"

Page 1, line 20, strike "such a" and insert "the" and strike "such" and insert "the"

And when so amended H.F. No. 730 will be identical to S.F. No. 781, and further recommends that H.F. No. 730 be given its second reading and substituted for S.F. No. 781, and that the Senate File be indefinitely postponed.

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

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

H.F. No. 631 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.
		631	272		

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. 384 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.
		384	437		

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. 251 for comparison with companion Senate File, reports the following House File was found not identical with its companion Senate File as follows:

GENERAL ORDERS		CONSENT CALENDAR		CALENDAR	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
		251	294		

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H.F. No. 251 be amended as follows:

Page 2, line 11, after "(3)" delete "*Unless otherwise provided for by law,*"

And when so amended H.F. No. 251 will be identical to S.F. No. 294, and further recommends that H.F. No. 251 be given its second reading and substituted for S.F. No. 294, and that the Senate File be indefinitely postponed.

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

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

H.F. No. 838 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.
		838	786		

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. 673 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.
673	842				

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. 601 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.
		601	436		

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. Dieterich from the Committee on Public Utilities and State Regulated Industries, to which was referred the following appointment as reported in the Journal for March 17, 1983:

**DEPARTMENT OF PUBLIC SERVICE
DIRECTOR**

Ray Bohn

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

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

SECOND READING OF SENATE BILLS

S.F. Nos. 462, 689, 823, 628, 525, 549, 702, 393, 731, 856, 558, 499, 661, 378, 664, 1105, 987, 932, 881, 244, 985, 922, 733 and 1114 were read the second time.

SECOND READING OF HOUSE BILLS

H.F. Nos. 684, 140, 656, 149, 987, 725, 592, 513, 697, 760, 830, 239, 610, 909, 804, 730, 631, 384, 251, 838, 673 and 601 were read the second time.

MOTIONS AND RESOLUTIONS

Mr. Chmielewski moved that his name be stricken as a co-author to S.F. No. 727. The motion prevailed.

Mr. Petty moved that the name of Mr. Waldorf be added as a co-author to S.F. No. 1054. The motion prevailed.

Mr. Ramstad introduced—

Senate Resolution No. 51: A Senate resolution congratulating the Falcons girls basketball team from Robbinsdale Armstrong High School for winning the Co-championship of the 1983 Lake North Conference.

Referred to the Committee on Rules and Administration.

Mr. Ramstad introduced—

Senate Resolution No. 52: A Senate resolution congratulating the Trojans girls basketball team from Wayzata High School for winning the Co-championship of the 1983 Lake North Conference.

Referred to the Committee on Rules and Administration.

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

GENERAL ORDERS

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

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

S.F. Nos. 466, 159, 831, 857, 275, 1015, 53 and H.F. Nos. 511 and 210, which the committee recommends to pass.

S.F. No. 160, which the committee recommends to pass with the following amendment offered by Mr. Peterson, C.C.:

Page 30, after line 16, insert:

“Sec. 11. [REPEALER.]

Minnesota Statutes 1982, section 424.26, is repealed.”

Page 30, line 17, delete “11” and insert “12”

Amend the title as follows:

Page 1, line 9, before the period, insert “; repealing Minnesota Statutes 1982, section 424.26”

The motion prevailed. So the amendment was adopted.

S.F. No. 541, which the committee recommends to pass with the following amendment offered by Mr. Kroening:

Page 1, line 19, delete “*Minnesota Statutes 1982,*”

Page 1, line 22, delete “*has been*” and insert “*is*”

Page 1, line 22, after "a" insert "*bona fide*"

Page 1, line 23, delete "*for the six months prior to applying for*"

Page 1, line 24, delete "*the employment program*"

The motion prevailed. So the amendment was adopted.

S.F. No. 843, which the committee recommends to pass with the following amendment offered by Mr. DeCramer:

Pages 3 and 4, delete section 5

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 8, delete "sections" and insert "section" and delete "and 268.14,"

Page 1, line 9, delete "subdivision 5;"

The motion prevailed. So the amendment was adopted.

S.F. No. 808, which the committee recommends to pass with the following amendments offered by Mrs. Kronebusch and Mr. Willet:

Mrs. Kronebusch moved to amend S.F. No. 808 as follows:

Page 1, line 14, delete ", and any act to which it is affixed,"

The motion prevailed. So the amendment was adopted.

Mr. Willet moved to amend S.F. No. 808 as follows:

Page 1, lines 13 and 16, delete "*substantially*"

Page 1, line 18, delete "*Generally,*"

Page 2, line 6, delete "*Generally,*"

Page 2, line 11, delete "*More specifically, and*"

The motion prevailed. So the amendment was adopted.

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

MOTIONS AND RESOLUTIONS - CONTINUED

Ms. Peterson, D.C. moved that H.F. No. 482, No. 2 on the Calendar, be stricken and placed at the top of General Orders. The motion prevailed.

Remaining on the Order of Business of Motions and Resolutions, Mr. Moe, R.D. moved that the Senate proceed to the Order of Business of Introduction and First Reading of Senate Bills. The motion prevailed.

INTRODUCTION AND FIRST READING OF SENATE BILLS

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

Mr. Langseth introduced—

S.F. No. 1163: A bill for an act relating to local government; authorizing the city of Moorhead to impose a tax on the gross receipts from the furnishing of certain lodging.

Referred to the Committee on Taxes and Tax Laws.

Mr. Langseth introduced—

S.F. No. 1164: A bill for an act relating to Independent School District No. 147; authorizing a transfer of money to the district's general fund from other district funds.

Referred to the Committee on Education.

Mr. Jude introduced—

S.F. No. 1165: A bill for an act relating to motor vehicles; providing for registration, taxation, and special license plates for classic motorcycles; proposing new law coded in Minnesota Statutes, chapter 168.

Referred to the Committee on Transportation.

Mr. Waldorf introduced—

S.F. No. 1166: A bill for an act relating to crimes; making it unlawful to use or invest proceeds from a pattern of criminal conduct to acquire or maintain an interest in an enterprise or to establish or conduct an enterprise; making it unlawful to acquire or maintain an interest in or to conduct an enterprise through a pattern of criminal conduct; making it unlawful to conspire to engage in such conduct; providing an alternative fine; providing for the rights of innocent persons; providing civil remedies of divestiture, reasonable restrictions on future activities, dissolution or reorganization of any enterprise, revocation or suspension of licenses or permits, and forfeiture of corporation charter or revocation of certificate authorizing a foreign corporation to conduct business within this state; providing for seizure and state disposal of seized and forfeited property; providing that any aggrieved person may institute civil proceedings to seek treble damages, attorney's fees, and punitive damages; providing for discovery; providing for priority of claim; providing penalties; proposing new law coded in Minnesota Statutes, chapter 609.

Referred to the Committee on Judiciary.

Mr. Schmitz introduced—

S.F. No. 1167: A bill for an act relating to no-fault insurance; requiring no-fault insurance coverage of certain benefits rather than medicare coverage; amending Minnesota Statutes 1982, section 65B.61, subdivision 1; repealing Minnesota Statutes 1982, section 65B.61, subdivision 2b.

Referred to the Committee on Economic Development and Commerce.

Mr. Freeman introduced—

S.F. No. 1168: A bill for an act relating to insurance; automobile; authorizing the commissioner to adopt rules on nonrenewals of policies; amending

Minnesota Statutes 1982, section 65B.17.

Referred to the Committee on Economic Development and Commerce.

Mr. Samuelson introduced—

S.F. No. 1169: A bill for an act relating to state government; governing compensation of members of boards, councils, and committees who are public employees; amending Minnesota Statutes 1982, sections 15.059, subdivision 3; and 214.09, subdivision 3.

Referred to the Committee on Governmental Operations.

MEMBERS EXCUSED

Messrs. Belanger; Bernhagen; Freeman; Hughes; Moe, D.M.; Novak; Peterson, R.W.; Purfeerst; Sieloff; Vega; Wegscheid; Mses. Olson and Reichgott were excused from the Session of today. Ms. Berglin, Messrs. Nelson and Spear were excused from the Session of today until 11:00 a.m. Mr. Laidig was excused from the Session of today until 12:15 p.m.

ADJOURNMENT

Mr. Moe, R.D. moved that the Senate do now adjourn until 10:00 a.m., Monday, April 18, 1983. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate