

THIRTY-SIXTH DAY

St. Paul, Minnesota, Monday, April 18, 1983

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

CALL OF THE SENATE

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

Prayer was offered by the Chaplain, Rev. Florian Muggli.

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

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

The President declared a quorum present.

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

MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to announce the passage by the House of the following Senate Files, herewith returned: S.F. Nos. 356 and 369.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned April 14, 1983

Mr. President:

I have the honor to announce the passage by the House of the following House Files, herewith transmitted: H.F. Nos. 250, 412, 259, 426, 516, 741, 764, 798, 849, 914, 946, 954, 958, 1062, 1079, 1108, 1111, 584, 605.

745, 959 and 1122.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted April 14, 1983

FIRST READING OF HOUSE BILLS

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

H.F. No. 250: A bill for an act relating to insurance; regulating interest rates on life insurance policy loans; establishing written pricing and dividend policies in certain circumstances; prescribing penalties; amending Minnesota Statutes 1982, section 61A.03; proposing new law coded in Minnesota Statutes, chapter 72A.

Referred to the Committee on Economic Development and Commerce.

H.F. No. 412: A bill for an act relating to education; requiring the development of proposals for new admission requirements in all public systems of higher education.

Referred to the Committee on Education.

H.F. No. 259: A bill for an act relating to watercraft safety; requirement for rear view mirrors while towing skiers; amending Minnesota Statutes 1982, section 361.09, subdivision 1.

Referred to the Committee on Agriculture and Natural Resources.

H.F. No. 426: A bill for an act relating to child support enforcement; amending Minnesota Statutes 1982, section 256.87, subdivision 1a, and by adding subdivisions.

Referred to the Committee on Health and Human Services.

H.F. No. 516: A bill for an act relating to the city of Montevideo; giving it certain powers of a statutory city.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 538, now on the Consent Calendar.

H.F. No. 741: A bill for an act relating to real estate; regulating the duties of a county recorder; amending Minnesota Statutes 1982, sections 386.31; 386.36; 580.24; 580.25; 582.03; 582.04; repealing Minnesota Statutes 1982, section 357.181.

Referred to the Committee on Local and Urban Government.

H.F. No. 764: A bill for an act relating to retirement; qualifying park district police for certain pension aids; amending Minnesota Statutes 1982, section 69.011, subdivision 1.

Referred to the Committee on Governmental Operations.

H.F. No. 798: A bill for an act relating to tax-forfeited land; authorizing the sale of a certain tract within the city of Orono.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 803, now on General Orders.

H.F. No. 849: A bill for an act relating to state lands; authorizing the sale of a certain lakeshore lot in Douglas County.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 929.

H.F. No. 914: A bill for an act relating to Ramsey County; reinstating a provision relating to mandatory retirement age for military veterans; amending Minnesota Statutes 1982, section 383A.30.

Referred to the Committee on Governmental Operations.

H.F. No. 946: A bill for an act relating to state government; implementing an executive order transferring the state soil and water conservation board from the department of natural resources to the department of agriculture; amending Minnesota Statutes 1982, section 40.03.

Mr. Davis moved that H.F. No. 946 be laid on the table. The motion prevailed.

H.F. No. 954: A bill for an act relating to the Minneapolis park and recreation board; providing for the appointment of various employees; amending Laws 1969, chapter 1024, sections 1 and 2.

Referred to the Committee on Local and Urban Government.

H.F. No. 958: A bill for an act relating to long term care; requiring the commissioners of health and public welfare to prepare a report to the legislature.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 830.

H.F. No. 1062: A bill for an act relating to port authorities; providing for the term of service of certain members of port authorities; amending Minnesota Statutes 1982, section 458.10, subdivision 2.

Referred to the Committee on Local and Urban Government.

H.F. No. 1079: A bill for an act relating to social and charitable organizations; including planning and developing costs as fundraising costs; amending Minnesota Statutes 1982, section 309.50, subdivision 12.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 969, now on the Consent Calendar.

H.F. No. 1108: A bill for an act relating to drainage; permitting certain towns to appeal from certain orders of county boards assessing damages or benefits in ditch proceedings.

Referred to the Committee on Agriculture and Natural Resources.

H.F. No. 1111: A bill for an act relating to local government; regulating town levies in Crow Wing County; repealing Laws 1941, chapter 451.

Referred to the Committee on Rules and Administration.

H.F. No. 584: A bill for an act relating to commerce; regulating the consignment of works of art; specifying the rights and duties of consignors and consignees; defining terms; proposing new law coded as Minnesota Statutes, chapter 324.

Referred to the Committee on Economic Development and Commerce.

H.F. No. 605: A bill for an act relating to education; requiring the higher education coordinating board to report its recommendations concerning credit transferability and institutional and program requirements; requiring reports to the legislature; providing that students shall be entitled to complete programs according to requirements as of the time the student began the program; amending Minnesota Statutes 1982, section 136A.042; proposing new law coded in Minnesota Statutes, chapter 136A.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 471.

H.F. No. 745: A bill for an act relating to the administrative procedure act; requiring certain notices to be sent to the legislative commission to review administrative rules; clarifying the duties of the revisor of statutes with respect to approving the form of administrative rules; increasing the time period for adopting a rule when reviews by other agencies are necessary; establishing a deadline for agency action with respect to rules adopted without public hearing; clarifying other provisions of the act; amending Minnesota Statutes 1982, sections 14.07; 14.08; 14.12; 14.14, subdivision 1; 14.15, subdivisions 1, 3, and 4; 14.17; 14.18; 14.19; 14.21; 14.22; 14.26; 14.32; 14.47, subdivisions 1, 5, and 8; and 14.52.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 737.

H.F. No. 959: A bill for an act relating to commerce; authorizing certain retailers of motor vehicle fuel to compute sales by the half-gallon; proposing new law coded in Minnesota Statutes 1982, section 325E.095.

Referred to the Committee on Economic Development and Commerce.

H.F. No. 1122: A bill for an act relating to the town of Flowing; permitting the town to conduct elections and town business in a nearby city.

Referred to the Committee on Local and Urban Government.

REPORTS OF COMMITTEES

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

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

S.F. No. 897: A bill for an act relating to education; establishing engineering degree programs at the University of Minnesota-Duluth and at a selected state university; creating the Mineral Resource Research Center at the University of Minnesota-Duluth; appropriating money; proposing new law coded as Minnesota Statutes, chapter 136C.

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

Delete everything after the enacting clause and insert:

“Section 1. [137.40] [INSTITUTE OF TECHNOLOGY EXPANSION AND IMPROVEMENTS.]

On January 1 of each odd numbered year, the University of Minnesota shall submit to the legislature a report on the current status of engineering education in the state of Minnesota. The report shall include an analysis of the current and long-term need for engineers of various kinds in Minnesota and in neighboring states, the ability of the state's elementary, secondary, and higher systems of education in meeting the needs, and any other information which may be important in an effort to educate sufficient engineers to meet the demands of Minnesota's economy. The university shall consult with appropriate representatives of each of Minnesota's education systems' board of architecture, engineering, land surveying, and landscape architecture, and with experts in the private sector during the preparation of this report.

Sec. 2. [137.41] [UNIVERSITY OF MINNESOTA-DULUTH SCHOOL OF ENGINEERING.]

The board of regents of the University of Minnesota may establish at the University of Minnesota-Duluth school of engineering a series of four-year degree programs which will lead to degrees in the following disciplines:

- (a) computer engineering; and*
- (b) electronic engineering.*

The board may also establish a three-year program in mineral engineering. Engineering programs shall be developed to meet accreditation requirements of the accreditation board for engineering and technology.

Sec. 3. [137.42] [NATURAL RESOURCE AND RESEARCH CENTER.]

Subdivision 1. [ESTABLISHMENT AND PURPOSE.] A natural resource research institute is hereby established at the University of Minnesota-Duluth. The institute shall engage in research and development activities in cooperation with industry, labor, the Twin Cities campuses of the University of Minnesota, the iron range resources and rehabilitation board, and other public agencies. The research shall be designed to:

- (a) improve the quality of taconite pellets and reduce the cost of producing such pellets;*
- (b) find a method or methods of competitively producing steel and steel products in mini steel mills on the Minnesota iron range;*
- (c) develop economically sound and environmentally safe methods of mining and refining other minerals located in northeastern Minnesota;*
- (d) develop economically sound and environmentally safe methods of using the abundant peat and biomass resources of northeastern Minnesota for horticulture, energy, and other purposes;*
- (e) develop economically sound and environmentally safe methods of using the abundant fresh water resources of northeastern Minnesota to provide additional jobs to the people of northeastern Minnesota; and*
- (f) develop techniques and processes which will broaden the use of forest products and encourage the further processing of these products in Minnesota. Any research or development efforts regarding this matter will be closely coordinated with the school of forestry of the University of Minne-*

sota.

Subd. 2. [DIRECTOR AND ADVISORY COMMITTEE.] (a) The president of the University of Minnesota will, with confirmation by the board of regents, appoint the director of the institute. The director shall then be responsible to the provost of the University of Minnesota-Duluth and through him to the dean of the graduate school of the university.

(b) The governor of the state of Minnesota, in coordination with the president of the University of Minnesota, will appoint a natural resource research institute advisory committee. The committee will advise the director with respect to the research and development efforts that it believes will make the most significant contributions to the prompt and productive use of the natural resources referred to in this section.

Sec. 4. [137.43] [STATE UNIVERSITY ENGINEERING DEGREE PROGRAM.]

The board of the state university system may establish two four-year curricula in engineering which may grant appropriate engineering degrees based on a plan prepared by the chancellor and approved by the board. Engineering programs shall be developed to meet accreditation requirements of the accreditation board for engineering and technology.

Sec. 5. [137.44] [RECRUIT WOMEN AND RACIAL MINORITIES.]

The board of regents of the University of Minnesota and the state university board are encouraged to actively recruit and retain women and members of racial minority groups for participation in the programs established or expanded under sections 1, 2, 3, and 4.

Sec. 6. [REPORT TO LEGISLATURE.]

The board of regents of the University of Minnesota and the state university board shall report on recruitment, retention efforts and results, according to section 5, to the education committees of the legislature by January 1, 1985.

Sec. 7. [APPROPRIATION.]

Subdivision 1. [INSTITUTE OF TECHNOLOGY.] There is appropriated from the general fund to the board of regents of the University of Minnesota the following sums to be used for the purposes set forth in section 1:

(a) For increased faculty in computer science and electrical engineering at the institute of technology.

\$ _____

(b) For the study of Minnesota's engineering needs required by section 1.

(c) For research in the institute of technology with special emphasis on micro-electronics research.

The sums shall be available until June 30, 1985.

Subd. 2. [UNIVERSITY OF MINNESOTA-DULUTH SCHOOL OF ENGINEERING.] There is appropriated from the general fund to the board of

regents of the University of Minnesota for the purposes set forth in section 2, the sums indicated in this subdivision for the fiscal years ending June 30 in the years designated.

(a) For capital equipment and software development there is appropriated:

\$.....1984,

\$.....1985.

(b) For library acquisitions, supplies, expenses and equipment, there is appropriated:

\$.....1984,

\$.....1985.

(c) For salaries of faculty, teaching assistants and civil service employees there is appropriated:

\$.....1984,

\$.....1985.

(d) For facility remodeling there is appropriated:

\$.....1984,

\$.....1985.

(e) For planning and curriculum development there is appropriated:

\$.....1984.

Subd. 3. [NATURAL RESOURCE AND RESEARCH CENTER.] There is appropriated from the general fund to the University of Minnesota to the natural resource research institute for the purposes set forth in section 3, the sums indicated in this subdivision for the fiscal years ending June 30 in the years designated.

(a) For capital funds bond issue for the acquisition-rehabilitation of the SAGE building at the Duluth air base there is appropriated:

\$.....1984.

(b) For capital funds bond issue for permanent equipment at the SAGE building there is appropriated:

\$.....1984.

(c) For other equipment there is appropriated:

\$.....1984,

\$.....1985.

(d) For operating expenses there is appropriated:

\$.....1984,

\$.....1985.

Subd. 4. [STATE UNIVERSITY ENGINEERING DEGREE.] There is appropriated from the general fund to the state university board for the purposes of section 4, the sums indicated in this subdivision for the fiscal years

ending June 30 in the years designated.

(a) For development of the engineering baccalaureate degree at St. Cloud State University:

\$.....1984,

\$.....1985.

(b) For development of the engineering baccalaureate degree at Mankato State University:

\$.....1984,

\$.....1985.

(c) For expansion of the engineering technology program at Southwest State University:

\$.....1984,

\$.....1985.”

Amend the title as follows:

Page 1, line 2, delete “establishing” and insert “authorizing the establishment of certain”

Page 1, line 2, delete “degree”

Page 1, line 4, delete “a”

Page 1, line 4, delete “university” and insert “universities”

Page 1, line 4, delete “creating the Mineral” and insert “establishing a natural”

Page 1, line 5, delete “Resource Research Center” and insert “resource research center”

Page 1, line 6, delete “appropriating money” and insert “requiring a report concerning engineering education”

Page 1, line 7, delete “as” and insert “in”

Page 1, line 7, delete “136C” and insert “137”

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

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

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

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

Delete everything after the enacting clause and insert:

“Section 1. Minnesota Statutes 1982, section 510.01, is amended to read:

510.01 [HOMESTEAD DEFINED; EXEMPT; EXCEPTION.]

The house owned and occupied by a debtor as his dwelling place, together with the land upon which it is situated to the amount hereinafter limited and defined, ~~shall constitute~~ *constitutes* the homestead of ~~such~~ *the* debtor and his family, and ~~he is exempt~~ from seizure or sale under legal process on account of any ~~debt~~ *debts* not lawfully charged thereon in writing ~~in the amount of the equity owned in the homestead by the debtor, but not exceeding \$50,000 for one debtor or \$100,000 for two or more debtors with joint ownership, except such as those which are incurred for work or materials furnished in the construction, repair, or improvement of such the homestead, or for services performed by laborers or servants.~~

Sec. 2. Minnesota Statutes 1982, section 510.04, is amended to read:

510.04 [TITLE MAY BE IN HUSBAND OR WIFE; EQUITABLE TITLE EXEMPT.]

If the debtor ~~be~~ *is* married, the homestead title may be vested in either spouse, and the exemption shall extend to the debts of either or of both. Any interest in the land, whether legal or equitable, shall constitute ownership, within the meaning of this chapter, and the dwelling house so owned and occupied shall be exempt ~~to the extent specified in section 510.01, though situated on the land of another.~~

Sec. 3. Minnesota Statutes 1982, section 550.041, is amended to read:

550.041 [SUMMARY EXECUTION OF ~~SMALL~~ JUDGMENT DEBTS.]

Subdivision 1. [COVERAGE.] When a judgment creditor proposes to make execution on a judgment debt of not more than \$2,500 from money owed to the judgment debtor by a third party, the execution may be made by the attorney for the judgment creditor or sheriff, or their agents, through a registered or certified letter or by personal service to the third party containing a copy of the execution. Upon receipt, the third party shall remit as much of the amount due under section 550.04, but not more than \$5,000, as his own debt equals to the sheriff or attorney who shall proceed in all other respects like the sheriff making a similar execution. No more than \$5,000 may be recovered in an execution pursuant to this section.

Subd. 2. [EXEMPTION NOTICE.] If this section is used to enforce a judgment against a debtor who is a natural person by executing on funds of the judgment debtor held on deposit at any financial institution, the judgment creditor shall serve two copies of an exemption notice with the copy of the execution. The notice shall be substantially in the form set out in section 18. Failure of the judgment creditor to send the exemption notice renders the execution void, and the financial institution shall take no action. However, if this subdivision is being used to execute on funds which have previously been garnished in compliance with section 571.41, the judgment creditor is not required to serve an additional exemption notice. In that event, the execution

shall only be effective as to the funds which were subject to the prior garnishment.

Subd. 3. [DUTY OF FINANCIAL INSTITUTION; EXEMPTION; OBJECTION.] Upon receipt of the execution and exemption notices, the financial institution shall attach and bind as much of the amount due under section 550.04 as his own debt equals. Within two business days after receipt of the judgment creditor's letter, the financial institution shall serve upon the judgment debtor two copies of the exemption notice. The exemption notice shall be served by first class mail to the last known address of the judgment debtor. If no claim of exemption is received by the financial institution prior to the expiration of 14 days after the exemption notices are mailed to the judgment debtor, the financial institution shall remit as much of the amount due under section 550.04 as its own debt equals to the sheriff or attorney who shall proceed in all other respects like the sheriff making a similar execution. If the judgment debtor elects to claim an exemption, he shall complete the exemption notice, affix his signature under penalty of perjury, and deliver one copy to the financial institution and one copy to the judgment creditor within 14 days of the date postmarked on the correspondence mailed to the judgment debtor containing the exemption notices. Failure of the judgment debtor to serve the executed exemption notice does not constitute a waiver of any right he may have to an exemption. Upon timely receipt of a claim of exemption, the financial institution shall remit as much of the amount due under section 550.04 as his own debt equals to the sheriff or attorney from funds not claimed to be exempt by the judgment debtor. All money claimed to be exempt shall be released to the judgment debtor upon the expiration of seven days after the date postmarked on the correspondence containing the executed exemption notice mailed to the judgment creditor or the date of personal delivery of the executed exemption notice to the judgment creditor, unless within that time a timely objection to the exemption is interposed by the judgment creditor. Objection is made by mailing or delivering one copy of a written objection to the claim of exemption to the financial institution and one copy of the objection to the judgment debtor. Upon timely receipt of a written objection from the judgment creditor, the financial institution shall retain the funds claimed to be exempt. Unless the third party receives a notice of motion and motion from the judgment debtor asserting exemption rights within ten days after receipt of the objection, the financial institution shall remit as much of the amount due under section 550.04 as his own debt equals to the sheriff or attorney representing the judgment creditor. Either the judgment creditor or the judgment debtor may bring a motion to determine the validity of an exemption claim by following the procedure set out in section 18. If a notice of motion and motion to determine the validity of a claim of exemption is received by the financial institution within the period provided, it shall retain the funds claimed to be exempt until otherwise ordered by a court. However, at any time during the procedure specified in this subdivision, the judgment debtor or the judgment creditor may, by a writing dated subsequent to the service of the execution, direct the financial institution to release the funds in question to the other party. Upon receipt of a release, the financial institution shall release the funds as directed.

Subd. 4. [SUBSEQUENT PROCEEDINGS; BAD FAITH CLAIMS.] If in subsequent proceedings brought by the judgment debtor or the judgment creditor, the claim of exemption is not upheld, and the court finds that it was asserted in bad faith, the judgment creditor shall be awarded actual damages, costs, and reasonable attorney fees resulting from the additional proceedings, and an amount not to exceed \$100. If the claim of exemption is

upheld, and the court finds that the judgment creditor disregarded the claim of exemption in bad faith, the judgment debtor shall be awarded costs, reasonable attorney fees, actual damages, and an amount not to exceed \$100. The underlying judgment shall be modified to reflect assessment of damages, costs, and attorney fees. However, if the party in whose favor a penalty assessment is made is not actually indebted to his attorney for fees, the attorney's fee award shall be made directly to the attorney and an appropriate judgment in favor of the attorney shall be entered. Upon motion of any party in interest, on notice, the court shall determine the validity of any claim of exemption and may make any order necessary to protect the rights of those interested. No financial institution shall be liable for damages for complying with this section. Both copies of an exemption claim or an objection to an exemption claim shall be mailed or delivered on the same date. The financial institution may rely on the date of mailing or delivery of a notice to it in computing any time periods in this section.

Subd. 5. [COSTS; SATISFACTION.] The attorney shall be allowed no costs from any party other than the judgment creditor for execution in accordance with this section. The attorney making such the execution shall endorse ~~thereon~~ on it partial satisfaction by amount or the total satisfaction and return the original execution to the clerk of that court for filing without charge.

Sec. 4. Minnesota Statutes 1982, section 550.14, is amended to read:

550.14 [LEVY ON OTHER PERSONAL PROPERTY.]

Subdivision 1. [PROPERTY COVERED.] Other personal property shall be levied on by leaving a certified copy of the execution, and a notice specifying the property levied on, with the person holding ~~the same~~ it; or, if a debt, with the debtor; or, if stock or an interest in stock of a corporation, with the president, secretary, treasurer, cashier, or managing agent ~~thereof~~ of it.

Subd. 2. [EXEMPTION NOTICE.] If this section is used to enforce a judgment against a judgment debtor who is a natural person by executing on funds of the judgment debtor held on deposit at any financial institution, the judgment creditor shall cause to be served with the execution two copies of an exemption notice. The notice shall be substantially in the form set out in section 18. If the judgment creditor fails to supply the exemption notice to the sheriff, the sheriff shall take no action. Failure of the sheriff to serve the exemption notice shall render the execution void, and the financial institution shall take no action. However, if this subdivision is being used to execute on funds which have previously been garnished in compliance with section 571.41, the judgment creditor shall not be required to serve an additional exemption notice. In that event, the execution shall only be effective as to the funds which were subject to the prior garnishment.

Subd. 3. [DUTY OF FINANCIAL INSTITUTION; EXEMPTION; OBJECTION.] Upon receipt of the execution and exemption notices, the financial institution shall attach and bind as much of the amount due under section 550.04 as his own debt equals. Within two business days after receipt of the judgment creditor's execution of the execution and exemption notices, the financial institution shall serve upon the judgment debtor two copies of the exemption notice. The exemption notice shall be served by first class mail to

the last known address of the judgment debtor. If no claim of exemption is received by the financial institution within 14 days after the exemption notices are mailed to the judgment debtor, the financial institution shall remit as much of the amount due under section 550.04 as its own debt equals to the sheriff. If the judgment debtor elects to claim an exemption, he shall complete the exemption notice, affix his signature under penalty of perjury, and deliver one copy to the financial institution and one copy to the judgment creditor within 14 days of the date postmarked on the correspondence mailed to the judgment debtor containing the exemption notices. Failure of the judgment debtor to serve the executed exemption notice does not constitute a waiver of any right he may have to an exemption. Upon timely receipt of a claim of exemption, the financial institution shall remit as much of the amount due under section 550.04 as his own debt equals to the sheriff from funds not claimed to be exempt by the judgment debtor. All money claimed to be exempt shall be released to the judgment debtor upon the expiration of seven days after the date postmarked on the correspondence containing the executed exemption notice mailed to the judgment creditor, or the date of personal delivery of the executed exemption notice to the judgment creditor, unless within that time a written objection to the claim of exemption is interposed by the judgment creditor. Objection is made by mailing or delivering one copy of the objection to the financial institution, and one copy to the judgment debtor. Upon timely receipt of a written objection from the judgment creditor, the financial institution shall retain the funds claimed to be exempt. Unless the financial institution receives a notice of motion and motion from the judgment debtor asserting an exemption within ten days after receipt of the objection, the financial institution shall remit as much of the amount due under section 550.04 as its own debt equals to the sheriff. Either the judgment creditor or the judgment debtor may bring a motion to determine the validity of an exemption claim by following the procedure set out in section 18. If a notice of motion and motion to determine the validity of a claim of exemption is received by the financial institution within the period provided, the financial institution shall retain the funds claimed to be exempt until otherwise ordered by the court. However, at any time during the procedure specified in this subdivision, the judgment debtor or the judgment creditor may, by a writing dated subsequent to the service of the execution, direct the financial institution to release the funds in question to the other party. Upon receipt of a release, the financial institution shall release the funds as directed.

Subd. 4. [SUBSEQUENT PROCEEDINGS.] If in subsequent proceedings brought by the judgment debtor or the judgment creditor, the claim of exemption is not upheld, and the court finds that it was asserted in bad faith, the judgment creditor shall be awarded actual damages, costs, and reasonable attorney fees resulting from the additional proceedings and an amount not to exceed \$100. If the claim of exemption is upheld, and the court finds that the judgment creditor disregarded the claim of exemption in bad faith, the judgment debtor shall be awarded costs, reasonable attorney fees, actual damages, and an amount not to exceed \$100. The underlying judgment shall be modified to reflect assessment of damages, costs, and attorney fees. However, if the party in whose favor a penalty assessment is made is not actually indebted to his attorney for fees, the attorney's fee award shall be made directly to the attorney and an appropriate judgment in favor of the attorney shall be entered. Upon motion of any party in interest, on notice, the court shall determine the validity of any claim of exemption and may make any order necessary to protect the rights of those interested. No financial insti-

tution shall be liable for damages for complying with this section. Both copies of an exemption claim or an objection to an exemption claim shall be mailed or delivered on the same date. The financial institution may rely on the date of mailing or delivery of a notice to it in computing any time periods in this section.

Sec. 5. Minnesota Statutes 1982, section 550.141, is amended by adding a subdivision to read:

Subd. 3. [SERVICE OF EXECUTION.] If the execution has not been served within one year after service of the notice, the judgment creditor shall serve another notice upon the judgment debtor prior to serving the execution on his employer. If more than one year has passed since the most recent execution, the judgment creditor shall serve another notice upon the judgment debtor no less than ten days prior to service of a subsequent execution on his employer.

Sec. 6. Minnesota Statutes 1982, section 550.37, subdivision 4, is amended to read:

Subd. 4. [PERSONAL GOODS.] (a) All wearing apparel, one watch, utensils, and foodstuffs of the debtor and his family; and (b) household furniture, household appliances, phonographs, radio and television receivers of the debtor and his family, not exceeding ~~\$3,000~~ \$4,500 in value. The exemption provided by this subdivision may not be waived except with regard to purchase money security interests. Except for a pawnbroker's possessory lien, a nonpurchase money security interest in the property exempt under this subdivision is void.

~~Provided however,~~ If a debtor has property of the type which would qualify for the exemption under clause (b) of this subdivision, of a value in excess of ~~\$3,000~~ \$4,500 an itemized list of the exempt property, together with the value of each item listed, shall be attached to the security agreement at the time a security interest is taken, and a creditor may take a nonpurchase money security interest in the excess over ~~\$3,000~~ \$4,500 by requiring the debtor to select his exemption in writing at the time the loan is made.

Sec. 7. Minnesota Statutes 1982, section 550.37, is amended by adding a subdivision to read:

Subd. 4a. [ADJUSTMENT OF DOLLAR AMOUNTS.] (a) The dollar amounts in subdivision 4 shall change periodically as provided in this subdivision to the extent of changes in the implicit price deflator for the gross national product, 1972 = 100, compiled by the United States department of commerce, and hereafter referred to as the index. The index for December, 1982, is the reference base index.

(b) The designated dollar amounts shall change on July 1 of each even numbered year if the percentage of change, calculated to the nearest whole percentage point, between the index for December of the preceding year and the reference base index is ten percent or more. The portion of the percentage change in the index in excess of a multiple of ten percent shall be disregarded and the dollar amounts shall change only in multiples of ten percent of the amounts stated in subdivision 4.

(c) If the index is revised, the percentage of change pursuant to this section

shall be calculated on the basis of the revised index. If a revision of the index changes the reference base index, a revised reference base index shall be determined by multiplying the reference base index then applicable by the rebasing factor furnished by the department of commerce. If the index is superseded, the index referred to in this section is the one represented by the department of commerce as reflecting most accurately changes in the purchasing power of the dollar for consumers.

(d) The commissioner of banks shall announce and publish:

(1) on or before April 30 of each year in which dollar amounts are to change, the changes in dollar amounts required by paragraph (b); and

(2) promptly after the changes occur, changes in the index required by paragraph (c) including, if applicable, the numerical equivalent of the reference base index under a revised reference base index and the designation or title of any index superseding the index.

(e) A person does not violate this chapter with respect to a transaction otherwise complying with this chapter if he relies on dollar amounts either determined according to paragraph (b) or appearing in the last publication of the commissioner announcing the then current dollar amounts.

Sec. 8. Minnesota Statutes 1982, section 550.37, subdivision 13, is amended to read:

Subd. 13. [WAGES.] All wages not subject to garnishment by the provisions of section 571.55. A subsequent attachment, garnishment or levy of execution shall impound only that pay period's non-exempt disposable earnings not subject to a prior attachment, garnishment or levy of execution, but in no instance shall more than an individual's total non-exempt disposable earnings in that pay period be subject to attachment, garnishment or levy of execution. Garnishments shall impound the non-exempt disposable earnings in the order of their service upon the employer. The disposable earnings exempt from garnishment are exempt as a matter of right, whether claimed or not by the person to whom due. ~~Such~~ The exemptions may not be waived. ~~Such~~ The exempt disposable earnings are payable by the employer when due. ~~Such~~ The exempt disposable earnings shall also be exempt for 20 days after deposit in any financial institution, *whether in a single or joint account.* This 20 day exemption ~~shall also apply~~ *applies* to any contractual set-off or security interest asserted by a financial institution in which ~~said~~ the earnings are deposited by the individual. In tracing ~~said~~ the funds, the first-in first-out method of accounting shall be used. The burden of establishing that funds are exempt rests upon the debtor. As used in this section, the term "financial institution" ~~shall include~~ *includes* credit unions. Nothing in this paragraph shall ~~be construed to void or supersede~~ any valid assignment of wages *or transfer of funds held on account* made prior to the attachment, garnishment, or levy of execution.

Sec. 9. Minnesota Statutes 1982, section 550.37, subdivision 14, is amended to read:

Subd. 14. [PUBLIC ASSISTANCE.] All relief based on need, and the wages or salary of a person who is a recipient of relief based on need, shall be exempt from all claims of creditors including any contractual set-off or security interest asserted by a financial institution. For the purposes of this

chapter, relief based on need ~~shall include~~ *includes* AFDC, *general assistance medical care*, supplemental security income, medical assistance, Minnesota supplemental assistance, and general assistance. The salary or wages of any debtor who is or has been a recipient of relief based on need, or an inmate of a correctional institution shall, upon his return to private employment after having been a recipient of relief based on need, or an inmate of a correctional institution, be exempt from attachment, garnishment, or levy of execution for a period of six months after his return to employment and after all public assistance has been terminated. ~~He may take advantage of such six months salary or wage exemption provisions only once in every three years.~~ The exemption provisions contained in this subdivision ~~shall~~ also apply for 60 days after deposit in any financial institution, *whether in a single or joint account*. In tracing ~~said~~ the funds, the first-in first-out method of accounting shall be used. The burden of establishing that funds are exempt rests upon the debtor. Agencies distributing relief and the correctional institutions shall, at the request of creditors, inform them whether or not any debtor has been a recipient of relief based on need, or an inmate of a correctional institution, within ~~such period of the preceding~~ six months.

Sec. 10. Minnesota Statutes 1982, section 550.37, subdivision 19, is amended to read:

Subd. 19. [WAIVER.] The exemption of the property listed in subdivisions 2, 3, *and 5 to 11, and 12a* may not be waived except by a statement in substantially the following form, in bold face type of a minimum size of 12 points, signed and dated by the debtor at the time of the execution of the contract surrendering the exemption, immediately adjacent to the listing of the property: "I understand that some or all of the above property is normally protected by law from the claims of creditors, and I voluntarily give up my right to that protection for the above listed property with respect to claims arising out of this contract."

Sec. 11. Minnesota Statutes 1982, section 550.37, subdivision 20, is amended to read:

Subd. 20. [TRACEABLE FUNDS.] The exemption of funds from creditors' claims, provided by subdivisions 9, 10, 11, ~~and 15, and 24~~, shall not be affected by the subsequent deposit of ~~said~~ the funds in a bank or any other financial institution, whether in a single or joint account, ~~so long as said if the funds can be~~ are traceable to their exempt source. In tracing ~~said~~ the funds, the first-in first-out method of accounting shall be used. The burden of establishing that funds are exempt rests upon the debtor. No bank or other financial institution shall be liable for damages for complying with process duly issued out of any court for the collection of a debt even if the funds affected by ~~said~~ the process are subsequently determined to have been exempt.

Sec. 12. Minnesota Statutes 1982, section 550.37, subdivision 24, is amended to read:

Subd. 24. [EMPLOYEE BENEFITS.] The debtor's right to receive a payment, *or payments received by the debtor*, under a stock bonus, pension, profit sharing, annuity, or similar plan or contract on account of illness, disability, death, age, or length of service, to the extent reasonably necessary for the support of the debtor and any dependent of the debtor.

Sec. 13. Minnesota Statutes 1982, section 571.41, subdivision 5, is amended to read:

Subd. 5. [PRIOR NOTICE REQUIRED.] If the garnishee summons is to be used to garnish the earnings of an individual to enforce a judgment, or to garnish earnings prior to entry of judgment pursuant to subdivision 2, clause (a), prior to the first garnishment on any debt, the creditor shall serve upon the debtor, no less than ten days prior to the service of the garnishee summons, a notice that ~~such~~ a summons may be issued. *If the garnishee summons has not been served within one year after service of the notice, the judgment creditor shall serve another notice upon the judgment debtor prior to serving the garnishee summons on his employer. If more than one year has passed since service of the judgment creditor's most recent garnishee summons, the judgment creditor shall no less than ten days prior to service of a subsequent garnishee summons serve notice that another garnishee summons may be served.* ~~Said~~ The notice shall (1) be substantially in the form set out in this chapter; ~~Said notice shall~~ ; (2) be served personally, in the manner of a summons and complaint, or by first class mail to the last known address of the debtor; ~~Said notice shall~~ ; (3) inform the debtor that a garnishee summons may be served on the debtor's employer in ten days, and that the debtor may, within that time, cause to be served on the creditor a signed statement under penalties of perjury asserting an entitlement to an exemption from garnishment; ~~Said notice shall further~~ ; (4) inform the debtor of the wage garnishment exemptions contained in section 550.37, subdivision 14; ~~Said notice shall further~~ ; and (5) advise the debtor of the relief set forth in this chapter to which he may be entitled if a creditor in bad faith disregards a valid claim and the fee, costs, and penalty which may be assessed against a debtor who in bad faith falsely claims an exemption or in bad faith takes action to frustrate the garnishment process. If no statement of exemption is received by the creditor within ten days from the service of the notice, he may proceed with the garnishment. Failure of the debtor to serve ~~such~~ a statement ~~shall~~ does not constitute a waiver of any right he may have to an exemption. If ~~said~~ the statement of exemption is received by the creditor, he may still cause a garnishee summons to be issued; ~~however,~~ . If the debtor subsequently asserts his claim of exemption successfully to the court having jurisdiction over the action, and the court finds that the creditor disregarded the claim of exemption in bad faith, the debtor shall be entitled to costs, reasonable attorney fees, actual damages, and an amount not to exceed \$100. If in subsequent proceedings which may be brought by the debtor or creditor, the claim is not upheld, and the court finds that it was asserted in bad faith, or if the court finds that the debtor has in bad faith taken action to frustrate the garnishment process, the debtor shall be assessed costs and reasonable attorney fees resulting from ~~said~~ the additional proceedings, and an amount not to exceed \$100.

Sec. 14. Minnesota Statutes 1982, section 571.41, is amended by adding a subdivision to read:

Subd. 5a. [EXEMPTION NOTICE.] *If the garnishee summons is used to garnish funds of a judgment debtor who is a natural person and if the funds to be garnished are held on deposit at any financial institution, the judgment creditor shall serve with the garnishee summons two copies of an exemption notice. The notice shall be substantially in the form set out in section 18.*

Failure of the judgment creditor to send the exemption notice shall render the garnishment void, and the financial institution shall take no action.

Sec. 15. Minnesota Statutes 1982, section 571.41, is amended by adding a subdivision to read:

Subd. 5b. [DUTY OF FINANCIAL INSTITUTION; EXEMPTION; OBJECTION.] Upon receipt of the garnishee summons and exemption notices, the financial institution shall attach and bind as much of the amount due under section 571.471 as the financial institution has on deposit owing to the judgment debtor. Within two business days after receipt of the garnishee summons and exemption notices, the financial institution shall serve upon the judgment debtor two copies of the exemption notice. The financial institution shall serve the notice by first class mail to the last known address of the judgment debtor. If no claim of exemption is received by the financial institution within 14 days after the exemption notices are mailed to the judgment debtor, the funds shall remain subject to the garnishment summons. If the judgment debtor elects to claim an exemption, he shall complete the exemption notice, affix his signature under penalty of perjury, and deliver one copy to the financial institution and one copy to the judgment creditor within 14 days of the date postmarked on the correspondence mailed to the judgment debtor containing the exemption notices. Failure of the judgment debtor to serve the executed exemption notice does not constitute a waiver of any right he may have to an exemption. Upon timely receipt of a claim of exemption, funds not claimed to be exempt by the judgment debtor shall remain subject to the garnishment summons. All money claimed to be exempt shall be released to the judgment debtor upon the expiration of seven days after the date postmarked on the correspondence containing the executed exemption notice mailed to the judgment creditor, or the date of personal delivery of the executed exemption notice to the judgment creditor, unless within that time the judgment creditor interposes an objection to the exemption. Objection shall be interposed by mailing or delivering one copy of the written objection to the financial institution and one copy of the written objection to the judgment creditor. Upon receipt of a written objection from the judgment creditor within the specified seven day period, the financial institution shall retain the funds claimed to be exempt. Unless the financial institution receives a notice of motion and motion from the judgment debtor asserting exemption rights within ten days after receipt of the written exemption, the funds shall remain subject to the garnishment summons as if no claim of exemption has been made. Either the judgment creditor or the judgment debtor may bring a motion to determine the validity of an exemption claim by following the procedure set out in section 18. If a notice of motion and motion to determine the validity of a claim of exemption is received by the financial institution within the period provided, the financial institution shall retain the funds claimed to be exempt until otherwise ordered by the court, or until the garnishment lapses pursuant to section 571.69. However, at any time during the procedure specified in this subdivision, the judgment debtor or the judgment creditor may, by a writing dated subsequent to the service of the execution, direct the financial institution to release the funds in question to the other party. Upon receipt of a release, the financial institution shall release the funds as directed.

Sec. 16. Minnesota Statutes 1982, section 571.41, is amended by adding

a subdivision to read:

Subd. 5c. [SUBSEQUENT PROCEEDINGS; BAD FAITH CLAIMS.] If in subsequent proceedings brought by the judgment debtor or the judgment creditor, the claim of exemption is not upheld, and the court finds that it was asserted in bad faith, the judgment creditor shall be awarded actual damages, costs, and reasonable attorney fees resulting from the additional proceedings and an amount not to exceed \$100. If the claim of exemption is upheld, and the court finds that the judgment creditor disregarded the claim of exemption in bad faith, the judgment debtor shall be awarded costs, reasonable attorney fees, actual damages, and an amount not to exceed \$100. The underlying judgment shall be modified to reflect assessment of damages, costs, and attorney fees. However, if the party in whose favor a penalty assessment is made is not actually indebted to his attorney for fees, the attorney's fee award shall be made directly to the attorney and an appropriate judgment in favor of the attorney shall be entered. Upon motion of any party in interest, on notice, the court shall determine the validity of any claim of exemption and may make any order necessary to protect the rights of those interested. No garnishee shall be liable for damages for complying with this section. Both copies of an exemption claim or an objection to an exemption claim shall be mailed or delivered on the same date. The financial institution may rely on the date of mailing or delivery of a notice to it in computing any time periods in this section.

Sec. 17. Minnesota Statutes 1982, section 571.41, subdivision 6, is amended to read:

Subd. 6. [FORM OF NOTICE.] The ten day notice informing a judgment debtor that a garnishee summons may be used to garnish the wages of an individual to enforce a judgment, shall be substantially in the following form:

STATE OF MINNESOTA	}	ss	
County of _____			_____ Court
			(Judgment Creditor)
			(Judgment Debtor)

Garnishment Exemption Notice

The State of Minnesota

To the above named Judgment Debtor:

Please take notice that a Garnishment Summons may be served upon your employer, without any further court proceedings or notice to you, ten days or more from the date hereof. Your wages ~~may be exempted~~ *are completely exempt* from garnishment if you are now a recipient of relief based on need, if you have been a recipient of ~~such~~ *such* relief within the last six months, or if you have been an inmate of a correctional institution in the last six months. Relief based on need includes, *only* AFDC, *general assistance medical care*, supplemental security income, medical assistance, Minnesota supplemental assistance, and general assistance. ~~It does not include Social Security, unemployment compensation, food stamps, or workers' compensation.~~

If you wish to claim ~~such~~ an exemption, you should fill out the appropriate

form below, sign it, and send it to the judgment creditor's attorney and the garnishee.

You may wish to contact the attorney for the Judgment Creditor in order to arrange for a settlement of the debt.

PENALTIES

1. Be advised that even if you claim an exemption, a Garnishment Summons may still be served on your employer. If your wages are garnished after you claim an exemption, you may petition the court for a determination of your exemption. If the court finds that the creditor disregarded your claim of exemption in bad faith, you will be entitled to costs, reasonable attorney fees, actual damages, and an amount not to exceed \$100.

2. **HOWEVER, BE WARNED** if you claim an exemption, the creditor can also petition the court for a determination of your exemption, and if the court finds that you claimed an exemption in bad faith, you will be assessed costs and reasonable attorney's fees plus an amount not to exceed \$100.

3. If after receipt of this notice, you in bad faith take action to frustrate the garnishment, thus requiring the creditor to petition the court to resolve the problem, you will be liable to the creditor for costs and reasonable attorney fees plus an amount not to exceed \$100.

Dated: _____

(Attorney for) Judgment Creditor

Address

Telephone

I hereby claim under penalty of perjury that my wages are exempt from garnishment because:

(1) _____ I am presently a recipient of relief based on need. (Specify the program, case number, and the county from which relief is being received. ~~There is no limit to the number of times this exemption may be claimed.~~)

Program	Case Number (if known)	County
(2) _____ I am not now receiving relief based on need, but I have received relief based on need within the last six months. (Specify the program, case number, and the county from which relief has been received.) I am aware that I am not permitted by law to use this exemption for more than one six month period every three years, and that I may be penalized if I violate this law.		

Program	Case Number (if known)	County
(3) _____ I have been an inmate of a correctional institution within the last six months, and I have not claimed this exemption within the last three years. (Specify the correctional institution and location.)		

Correctional Institution

Location

I hereby authorize any agency that has distributed relief to me or any

correctional institution ~~wherein~~ in which I was an inmate to disclose to the above-named creditor or his attorney whether or not I was a recipient of relief based on need or an inmate of a correctional institution within the last six months.

Judgment Debtor

Address

Sec. 18. Minnesota Statutes 1982, section 571.41, is amended by adding a subdivision to read:

Subd. 6a. [FORM OF EXEMPTION NOTICE.] The notice informing a judgment debtor that a writ of attachment, garnishee summons, or levy of execution has been used to attach and bind funds of the judgment debtor to satisfy a claim shall be substantially in the following form:

EXEMPTION NOTICE

STATE OF MINNESOTA

COUNTY OF _____ **Court**
_____ (Judgment Creditor)

_____ (Judgment Debtor)
To _____ (Judgment Debtor):

A writ of attachment, garnishee summons, or levy of execution (strike inapplicable language) has been served on _____
_____ (Bank or other Financial In-
stitution) _____ where you have an ac-
count.

Your account balance is \$_____.

The amount being held is \$_____.

However, the funds in your account will normally be exempt from creditors' claims if they are in one of the following categories:

(1) Relief based on need. This includes AFDC, Medical Assistance, Supplemental Security Income (SSI), Minnesota Supplemental Assistance, General Assistance, and General Assistance Medical Care.

(2) Social Security benefits (Old Age, Survivors, or Disability Insurance).

(3) Unemployment compensation, workers' compensation, or veteran's benefits.

(4) An accident, disability, or retirement pension or annuity.

(5) Life insurance proceeds, or the earnings of your minor child.

(6) Money from a claim for damage or destruction of exempt property (such as household goods, farm tools, business equipment, a mobile home, or a car).

The following funds are also exempt:

(7) All wages of a person in category 1.

(8) *All wages of a person who has received relief based on need, or who has been an inmate of a correctional institution, within the last six months.*

(9) *Seventy-five percent of every wage earner's after tax earnings.*

(10) *All of a wage earner's after tax earnings below 40 times the federal minimum wage (this equals \$134 for a 40 hour week).*

TIME LIMIT ON EXEMPTIONS AFTER DEPOSIT IN BANK:

Categories 9 and 10: 20 days.

Categories 7 and 8: 60 days.

All others: no time limit, as long as funds are traceable to the exempt source. (In tracing funds, the First In, First Out method is used. This means money deposited first is spent first.) The money being sought by the creditor is being held in your account to give you a chance to claim an exemption.

TO CLAIM AN EXEMPTION:

Fill out, sign, and mail or deliver one copy of this exemption claim form to the institution which sent you this notice, and one copy to the judgment creditor. Both copies must be mailed or delivered on the same day.

If they don't get the exemption claim back from you within 14 days of the date they mailed or gave it to you, they will be free to turn the money over to the sheriff or the creditor. If you are going to claim an exemption, do so as soon as possible, because your money may be frozen until it is decided.

IF YOU CLAIM AN EXEMPTION:

(1) *Non-exempt money can be turned over to the creditor or sheriff;*

(2) *The financial institution will keep holding the money claimed to be exempt; and*

(3) *Seven days after receiving your exemption claim, the financial institution will release the money to you unless before then it receives an objection to your exemption claim.*

IF THE CREDITOR OBJECTS TO YOUR EXEMPTION CLAIM:

(1) *The institution will hold the money until a court decides if your exemption claim is valid, BUT ONLY IF the institution gets a copy of your court motion papers asserting the exemption WITHIN 10 DAYS after the objection is mailed or given to you. You may wish to consult an attorney at once if the creditor objects to your exemption claim.*

MOTION TO DETERMINE EXEMPTION:

At any time after your funds have been frozen, you may ask for a court decision on the validity of your exemption claim by filing a request for hearing which may be obtained at the office of the clerk of the above court.

PENALTIES:

If you claim an exemption in bad faith, or if the creditor wrongly objects to an exemption in bad faith, the Court may order the person who acted in bad faith to pay costs, actual damages, attorney fees, and an additional amount of up to \$100.

Date (Attorney for) Judgment Creditor
Address

EXEMPTION:

(a) Amount of exemption claim.

/// I claim ALL the funds being held are exempt.

/// I claim SOME of the funds being held are exempt. The exempt amount is \$_____.

(b) Basis for Exemption.

Of the ten categories listed above, I am in category number _____. (If more than one category applies, you may fill in as many as apply.) The source of the exempt funds is the following:

(If the source is a type of relief based on need, list the case number and county:

case number: _____ ;

county: _____ .)

Dated: _____
Judgment Debtor
Address

Sec. 19. Minnesota Statutes 1982, section 571.41, is amended by adding a subdivision to read:

Subd. 6b. [FORM OF MOTION.] (1) A motion to determine the validity of an exemption claim may be brought by either the judgment creditor or the judgment debtor by filing with the clerk of court out of which the attachment, garnishment, or execution issued a Request for Hearing which shall be in substantially the following form:

STATE OF MINNESOTA _____ COURT

COUNTY OF _____
REQUEST FOR HEARING ON
EXEMPTION CLAIM

Plaintiff(s),

v.

Defendant(s).

I hereby request a hearing to resolve the exemption claim which has been made in this case regarding funds in the account of _____ (Debtor) _____ at the _____ (Financial Institution) _____. I believe the property being held is (not) exempt because _____

DATED: _____
Judgment (Debtor, Creditor)
Address

Hearing date: _____ Time: _____

Place: _____

[Note to both parties: Bring with you to the hearing all documents and materials relevant to the exemption claim. Failure to do so could delay the court's decision.]

(2) The court shall provide Request for Hearing forms and clerical assistance to help with the writing and filing of a Request for Hearing by any person not represented by counsel. The clerk may charge a fee of \$1.00 for the filing of a Request for Hearing.

(3) Upon the filing of a Request for Hearing, the clerk shall schedule the matter for a hearing no later than five business days from the date of filing. The clerk shall forthwith send a completed copy of the request, including the hearing date, time, and place to the adverse party and to the financial institution by first class mail.

Sec. 20. Minnesota Statutes 1982, section 571.42, is amended to read:

571.42 [EFFECT OF SERVICE OF SUMMONS.]

Subdivision 1. [ATTACH FOR JUDGMENT.] Except as provided in sections 571.43 and 571.50, service of the garnishee summons upon the garnishee shall attach and bind, to respond to final judgment in the action, all personal property of the judgment debtor in his possession or under his control and all indebtedness owing by him to the judgment debtor at the time of ~~such~~ service and all non-exempt disposable earnings earned or to be earned within that ~~one~~ pay period *and within 30 days thereafter*.

Subd. 2. [PROPERTY ATTACHED.] Subject to the provisions of sections 550.37 and 571.55 all moneys, all non-exempt disposable earnings earned or to be earned within that ~~one~~ pay period *and within 30 days thereafter* and other personal property including ~~such~~ property of any kind due from or in the hands of an executor, administrator, receiver or trustee and all written evidences of indebtedness whether negotiable or not or under or overdue may be attached by garnishment, and money or any other thing due or belonging to the judgment debtor may be attached by this process before it has become payable if its payment or delivery does not depend upon any contingency, but the garnishee shall not be compelled to pay or deliver ~~the same~~ *it* before the time appointed by the contract.

Sec. 21. Minnesota Statutes 1982, section 571.67, is amended to read:

571.67 [PENALTY IN CERTAIN GARNISHMENT PROCEEDINGS.]

A party who serves or causes to be served a garnishment summons prior to judgment in the main action, except where garnishment prior to entry of judgment is permitted, is liable to the debtor named in the garnishment proceedings in the amount of \$100 plus reasonable attorneys fees and costs. *Action by a judgment creditor in violation of section 550.041, 550.14, 550.141, or 571.41, causing any third party or garnishee in possession of funds owing to the judgment debtor to hold or deliver the funds to satisfy a*

garnishment, attachment, or levy of execution shall render the garnishment, attachment, or levy of execution void and the judgment creditor liable to the judgment debtor named in the garnishment, attachment, or execution in the amount of \$100, actual damages, and reasonable attorney fees and costs."

Amend the title as follows:

Page 1, line 3, after the semicolon, insert "limiting the homestead exemption from seizure or sale;"

Page 1, line 11, after "sections" insert "510.01; 510.04;"

Page 1, line 13, after "24" insert ", and by adding a subdivision" and delete "subdivision 5" and insert "subdivisions 5 and 6"

Page 1, line 14, after the semicolon, insert "571.42;"

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

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

S.F. No. 512: A bill for an act relating to the military; redefining categories of service; restricting state liability for workers' compensation claims, tort claims, and special compensation payments; clarifying applicability of state's uniform code of military justice; reenacting the authority of the adjutant general to repair regimental battle flags; amending Minnesota Statutes 1982, sections 3.732, subdivision 1; 176.011, subdivision 9; 190.05, subdivision 5, and by adding subdivisions; 192.38; 192A.015; and 192A.02, subdivision 1; proposing new law coded in Minnesota Statutes, chapter 190.

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

Page 1, line 18, after "I." insert "[DEFINITIONS.]"

Page 2, line 16, strike "; and includes" and insert "including"

Page 2, line 21, strike "a" in both places

Page 2, line 22, strike "and"

Page 2, line 23, strike "about"

Page 2, line 35, strike "therein but" and insert "in it."

Page 2, line 36, after "office" insert a comma

Page 3, line 1, strike "any such" and insert "a"

Page 3, line 5, after "corporation" insert a comma

Page 3, line 7, strike "nor shall it include" and insert "or"

Page 3, lines 17 and 34, strike "within the meaning of this subdivision"

Page 3, line 26, strike "thereof" and insert "of it"

Page 4, line 32, strike "within"

Page 4, line 33, strike "the meaning of this subdivision"

Page 5, line 7, strike “within the meaning of this”

Page 5, line 8, strike “subdivision”

Page 5, line 24, after “5.” insert “[ACTIVE SERVICE.]”

Page 6, line 2, after “5a” insert “[STATE ACTIVE SERVICE.]”

Page 6, line 15, after “5b” insert “[FEDERAL ACTIVE SERVICE.]”

Page 6, line 20, delete “[190.095]” and insert “[190.096]” and delete “; DECLARATION”

Page 6, delete lines 21 to 36

Page 7, line 1, delete “Subd. 2.” and insert “Subdivision 1. [AUTHORITY TO REPAIR.]”

Page 7, line 2, delete “, to the contrary”

Page 7, lines 3 and 9, delete “of the state of Minnesota”

Page 7, line 3, delete “is authorized to” and insert “may”

Page 7, lines 4, 7, 13, and 14, delete “such”

Page 7, lines 7 and 14, delete “as” and delete “may deem” and insert “deems”

Page 7, line 10, delete “Subd. 3.” and insert “Subd. 2. [AUTHORITY TO RELEASE.]” and delete “Minnesota”

Page 7, line 11, delete “Statutes,”

Page 7, line 31, strike “widow” and insert “spouse” and strike “such”

Page 7, line 32, strike “may be”

Page 7, line 34, strike “such”

Page 8, line 3, strike “thereof” and insert “of it”

Page 10, line 4, after “1.” insert “[APPLICABILITY.]”

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. 954: A bill for an act relating to commerce; mechanics’ liens; providing notice requirements for certain contractors; increasing the time periods relating to an owner’s obligation to pay a contractor and the duration of the lien; amending Minnesota Statutes 1982, sections 514.011, subdivisions 1 and 2; 514.07; and 514.08, subdivision 1.

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

Page 1, line 23, strike “the contract for”

Page 2, line 7, strike “so” and insert “as”

Page 2, line 9, strike “thereof” and insert “of them”

Page 2, line 11, strike “90” and insert “120”

Page 2, line 19, strike "himself"

Page 2, line 31, after "514.01" insert a comma

Page 3, lines 23 and 33, strike "so" and insert "as"

Page 3, line 25, strike "thereof" and insert "of them"

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

Page 4, line 3, strike "thereof" and insert "of them"

Page 4, line 6, strike "shall furnish" and insert "furnishes"

Page 4, line 13, strike "thereof" and insert "of it" and strike the semicolon

Page 4, line 14, strike "and" and insert a period

Page 4, line 16, strike "so"

Page 4, line 18, strike "otherwise" and insert "other" and strike "thereunder"

Page 4, line 21, after "1." insert "[NOTICE REQUIRED.]"

Page 4, line 25, strike "therefor, be" and insert "is"

Page 4, line 27, strike "be" and insert "is"

Page 4, after line 31, insert:

"Sec. 5. Minnesota Statutes 1982, section 514.08, is amended by adding a subdivision to read:

Subd. 3. [FALSE CLAIM OF LIEN.] Any person who knowingly files a false statement of claim pursuant to this section is guilty of perjury.

Sec. 6. Minnesota Statutes 1982, section 514.10, is amended to read:

514.10 [FORECLOSURE OF LIENS.]

Subdivision 1. [VENUE; PROCEDURE.] Such Liens may be enforced by action in the district court of the county in which the improved premises or some part thereof of them are situated, or, if claimed under section 514.04, of any county through or into which the railway or other line extends; which. The action shall be begun and conducted in the same manner as actions for the foreclosure of mortgages upon real estate, except as herein otherwise provided; but. The owner or any person or party having an interest in or lien upon the property against which a lien has been filed under the provisions of this chapter may bring an action to remove the lien in the nature of an action to determine adverse claims and subject to all the provisions of law regarding actions to determine adverse claims.

Subd. 2. [DEPOSIT; RELEASE OF PROPERTY.] When an action has been brought, either by the lien claimant to enforce his lien or by the owner, person, or party having an interest in or a lien upon the property against which a lien claim has been filed to determine adverse claims, as provided herein, application may be made at any time after such the action has been commenced by any of the persons or parties above mentioned to have the property affected by any such a lien, released from the lien by giving ten days' notice, or such other and shorter notice as the court may order and

~~direct orders~~, to the lien claimant, or his attorney, of intention to apply to the district court for the release of ~~such the~~ lien and of the time and place of hearing. Upon a hearing upon an application, the court shall fix a sum of money to be deposited by the applicant with the clerk of the district court, ~~which~~. The sum shall not be less than the aggregate amount of, (1) the amount claimed in the lien statement, (2) \$18 for every \$100 or fraction ~~thereof~~ of \$100, to cover interest, (3) the probable disbursements in an action to enforce the claim for which the lien statement was filed, and (4) an amount not less than double the amount of attorneys' fees allowed upon the foreclosure under section 582.01, to cover any allowance the court may make upon the trial for costs and attorneys' fees in the action or upon appeal. Upon ~~making a the deposit in of the amount so~~ fixed in the order of court, an order shall be made by the court releasing the premises described in the statement ~~thereof~~ from the effect of ~~such the~~ lien. The lien claimant ~~shall have~~ has the same right of lien against ~~such the~~ money deposit ~~that as~~ he had against the property released. The order releasing the lien may be filed in the office of the county recorder or registrar of titles, if registered land, of the county in which the lien statement is recorded or filed, ~~and thereupon~~. Upon filing, the premises affected shall be released ~~therefrom from the lien~~. The court shall by the same order discharge any notice of lis pendens filed in any action in which ~~such a~~ lien may be asserted if it appears that all mechanics' liens filed or recorded against the property covered by the lis pendens have been released.

Subd. 3. [JUDGMENT; PAYMENT.] After the release of the property affected, the judgment ordered in any action either to enforce ~~such the~~ lien or determine adverse claims and remove ~~such the~~ lien, in the event that the lien is established, shall provide that it be paid; ~~and it shall be paid~~ without further proceedings out of the deposit ~~made as provided herein~~. The judgment of the district court establishing a lien, unless a written notice of intention to appeal ~~therefrom~~ is served on the clerk of the district court within 30 days from the entry of ~~such~~ judgment, ~~shall be is authority to such for the clerk to pay the amount specified in such the judgment to the persons entitled thereto to it, or their attorney of record in the action.~~ The balance of deposits, if any, shall be returned to the depositor. If the lien was not a valid and enforceable one, the judgment shall direct the return of the whole deposit to the depositor unless the claimant obtains judgment against ~~such the~~ depositor personally ~~and~~. In ~~such that~~ case the judgment shall be paid as ~~hereinbefore~~ specified.

Subd. 4. [IMPROPER LIEN.] *If the court determines that a lien claimant filed a lien without providing the notice required by this chapter or after an owner has paid for the improvements as provided for in this chapter, the court may order the claimant to pay any actual damages incurred by the owner, court costs, and reasonable attorney's fees."*

Amend the title as follows:

Page 1, line 6, after the semicolon, insert "providing penalties for falsely filing liens;"

Page 1, line 7, delete the second "and"

Page 1, line 8, after "1" insert "and by adding a subdivision; and 514.10"

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

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

S.F. No. 923: A bill for an act relating to libraries; restricting tort liability for public libraries; prescribing a penalty; amending Minnesota Statutes 1982, section 466.01, subdivision 1; proposing new law coded in Minnesota Statutes, chapter 134.

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

Delete everything after the enacting clause and insert:

“Section 1. Minnesota Statutes 1982, section 466.01, subdivision 1, is amended to read:

Subdivision 1. [MUNICIPALITY.] For the purposes of sections 466.01 to 466.15, “municipality” means any city, whether organized under home rule charter or otherwise, any county, town, public authority, public corporation, special district, school district, however organized, county agricultural society organized pursuant to chapter 38, *public library, regional public library system, multi-county multi-type library system*, or other political subdivision.

Sec. 2. [609.541] [DESTRUCTION OR DETENTION OF LIBRARY PROPERTY.]

Subdivision 1. [INJURY TO LIBRARY MATERIALS IN PUBLIC INSTITUTIONS.] A person who intentionally, and without permission from library personnel, removes or damages any books, maps, pictures, manuscripts, films, or other property of any public library or library belonging to the state or to any political subdivision is guilty of a misdemeanor.

Subd. 2. [WILLFUL DETENTION OF LIBRARY MATERIALS.] A person who willfully detains a book, periodical, pamphlet, film, or other property belonging to any public library, or to a library belonging to the state or any political subdivision, for more than 30 days after notice in writing to return it, given after the expiration of the library's stated loan period for the material, is guilty of a petty misdemeanor. The written notice shall be sent by mail to the last known address of the person detaining the material. The notice shall state the type of material borrowed, the title of the material, the author's name, the library from which the material was borrowed, and the date by which the material was to have been returned to the library. The notice shall include a statement indicating that if the material is not returned within 30 days after the written notice the borrower will be in violation of this section.”

Amend the title as follows:

Page 1, line 2, after the semicolon, insert “prohibiting the theft or damage of library materials;”

Page 1, line 6, delete “134” and insert “609”

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. 588: A bill for an act relating to courts; providing for interest rates on judgments; amending Minnesota Statutes 1982, section 549.09, subdivision 1.

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

Page 1, line 12, after "accrues" insert "and harm or loss results"

Page 1, line 14, after "judgment" insert ", unless otherwise provided by law" and after the period, insert "For judgments on workers' compensation claims interest accrues from the time of verdict or report. In the case of prejudgment interest, the court may reduce the amount of interest to conform to the circumstances of the case if it specifically finds that certain elements of the damages arose after the date the claim or cause of action accrued."

Page 1, line 15, before "The" insert "Unless otherwise provided by law or contract, other than an insurance contract,"

Page 2, delete lines 6 and 7 and insert:

"This act is effective the day following final enactment and interest begins to accrue as of that date on all claims or causes of action regardless of when the claims or causes accrued."

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. 771: A bill for an act relating to courts; providing for removal of claims from municipal court to district court; amending Minnesota Statutes 1982, section 488A.01, subdivision 15; and 488A.18, subdivision 15.

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

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

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

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

Page 1, line 11, delete "equal to" and insert "not less than" and delete "thereof"

Page 1, line 15, after the period, insert "The property shall be appraised in the manner provided in Minnesota Statutes, section 94.10."

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

Mr. Merriam from the Committee on Agriculture and Natural Resources,

to which was referred

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

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

Page 1, line 8, delete "or" and insert a comma and after "sold" insert ", leased, or loaned"

Page 1, line 9, delete "evidencing" and insert "or a record of"

Page 1, line 10, delete "of"

Page 1, line 11, delete "entry or sale" and insert ", unless originating from a pseudorabies qualified negative herd or a pseudorabies controlled vaccinated herd which have not intermingled with swine of unknown status"

Page 1, line 18, delete "livestock sanitary" and after "board" insert "of animal health" and delete "The"

Page 1, delete lines 19 and 20

Page 1, after line 20, insert:

"Sec. 2. [35.257] [RESTRICTED MOVEMENT OF FEEDER PIGS.]

Subdivision 1. [RESTRICTED MOVEMENT.] All feeder pigs sold through a swine concentration point and feeding swine imported into Minnesota shall be restricted to the purchaser's premises and isolated from all breeding swine until sold for slaughter accompanied by a shipping permit, except:

(a) feeder pigs purchased directly from a pseudorabies qualified negative herd or a pseudorabies controlled vaccinated herd which have not intermingled with swine of unknown status; and

(b) lots of feeder pigs may be released for resale 30 days after purchase if tested and found negative for pseudorabies.

Pigs and swine subject to restricted movement may be moved to another state if movement is in compliance with importation requirements of that state.

Subd. 2. [DEFINITION.] For the purpose of this section, "swine concentration point" means a facility where swine are assembled for resale for feeding or breeding purposes, and where contact may occur between groups of swine from various sources, including public stockyards, auction markets, state-federal markets, buying stations, and livestock dealers' yards.

Sec. 3. [35.259] [RULES.]

The board of animal health may adopt rules, including temporary rules, to implement sections 1 and 2."

Page 1, delete lines 22 to 24 and insert:

"Sections 1 and 2 are effective January 1, 1984. Section 3 is effective the day following final enactment."

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 3, before the semicolon, insert "and imposing quarantine and restricted movement requirements for swine"

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

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

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

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

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

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

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

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1982, section 177.27, subdivision 2, is amended to read:

Subd. 2. The commissioner or ~~his~~ *an* authorized representative may require ~~from any~~ the employer of employees engaged in any occupation in the state to submit to the commissioner or the authorized representative photocopies, certified copies, or, if necessary, the originals of employment records which the commissioner or the authorized representative deems necessary or appropriate. The records which may be required include but are not limited to full and correct statements in writing, including sworn statements by the employer, ~~with respect~~ containing information relating to wages, hours, ~~name~~ names, addresses, and any other information pertaining to ~~his~~ the employer's employees and the conditions of their employment as the commissioner or ~~his~~ the authorized representative ~~may deem~~ deems necessary or appropriate.

The commissioner or the commissioner's authorized representative may require the records to be submitted by certified mail delivery or, if necessary, by personal delivery by the employer or a representative of the employer, as authorized by the employer in writing.

The commissioner may impose a penalty of up to \$100 on an employer for each failure of the employer to submit or deliver records as required by this

section. The penalty imposed by this section is in addition to any penalties provided under section 177.32, subdivision 1.

Sec. 2. Minnesota Statutes 1982, section 177.30, is amended to read:

177.30 [KEEPING RECORDS.]

Every employer subject to ~~any provision of~~ sections 177.21 to 177.35 or of any rule ~~issued~~ *adopted pursuant thereto* to those sections shall make and keep, for a period of not less than three years in or about the premises ~~wherein in which~~ any employee is employed, a record of the name, address and occupation of each of ~~his employees~~ *employee*, the rate of pay, and the amount paid each pay period to each employee, the hours worked each day and each workweek by the employee, and other information as *deemed necessary and appropriate by the department shall prescribe by rule as necessary or appropriate commissioner* for the enforcement of the provisions of sections 177.21 to 177.35 ~~or of the rules issued pursuant thereto~~.

The commissioner may impose a penalty of up to \$100 on an employer for each failure of the employer to maintain records as required by this section. The penalty imposed by this section is in addition to any penalties provided under section 177.32, subdivision 1.

Sec. 3. Minnesota Statutes 1982, section 177.31, is amended to read:

177.31 [POSTING OF LAW AND RULES.]

Every employer subject to ~~any provision of~~ sections 177.21 to 177.35 shall ~~obtain and keep a summary thereof of those sections~~, approved by the department, and copies of any applicable rules ~~issued~~ *adopted pursuant thereto* to those sections, or a summary of the rules, ~~posted and shall post the summaries in a conspicuous and accessible place in or about the premises wherein in which any person subject thereto covered by sections 177.21 to 177.35 is employed~~. The department shall furnish copies of the summaries and rules to employers without charge.

The commissioner may impose a penalty of up to \$100 on an employer for each failure of the employer to comply with this section. The penalty imposed by this section is in addition to any penalties provided by section 177.32, subdivision 1.

Sec. 4. Minnesota Statutes 1982, section 177.32, subdivision 1, is amended to read:

Subdivision 1. ~~Any~~ An employer who does any of the following is guilty of a misdemeanor: (a) hinders or delays the ~~department commissioner~~ or ~~its~~ an authorized representative in the performance of ~~its~~ duties required under sections 177.21 to 177.35 ~~or~~; (b) refuses to admit the commissioner or ~~his~~ an authorized representative to ~~any~~ the place of business or employment of the employer, as required by section 177.27, subdivision 1; ~~or~~ (c) consistently and repeatedly fails to make, keep, and preserve records as required by section 177.30; ~~or~~ (d) falsifies any record; ~~or~~ (e) refuses to make any record ~~accessible~~ available, or to furnish a sworn statement of the record or any other information as required by section 177.27; ~~or~~ (f) consistently and repeatedly fails to post a summary of sections 177.21 to 177.35 or a copy or summary of ~~any~~ the applicable ~~rule~~ rules as required by section 177.31; ~~or~~ (g) pays or agrees to pay wages at a rate less than the rate ~~applicable~~ required

under or pursuant to sections 177.21 to 177.35; or (h) otherwise violates any provision of sections 177.21 to 177.35 or of any rule issued adopted pursuant thereto; is guilty of a misdemeanor to those sections."

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

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

H.F. No. 157 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.
		157	156		

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H.F. No. 157 be amended as follows:

Page 1, line 19, delete "; 354.092;" and insert ", or"

Page 1, line 20, delete "354.093; 354.094; 354.53; 354.531; 354.66;"

Page 1, line 21, delete everything after "4"

Page 1, line 22, delete "578, article II, section 1" and insert a comma

Page 2, line 4, delete "; 354.092; 354.093; 354.094;"

Page 2, line 5, delete "354.53; 354.531; 354.66;" and "; 354A.091;"

Page 2, delete line 6

Page 2, line 7, delete the new language

Page 2, line 12, delete "or"

Page 2, line 13, delete ", subdivision 5" and after the period insert "*The commissioner of education may extend the date applications are to be received by him to a date not later than June 30, 1983.*"

And when so amended H.F. No. 157 will be identical to S.F. No. 156, and further recommends that H.F. No. 157 be given its second reading and substituted for S.F. No. 156, 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. 787 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

H.F. No.	S.F. No.
787	921

CONSENT CALENDAR

H.F. No.	S.F. No.
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CALENDAR

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

GENERAL ORDERS

H.F. No.	S.F. No.
749	762

CONSENT CALENDAR

H.F. No.	S.F. No.
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CALENDAR

H.F.No.	S.F.No.
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Pursuant to Rule 49, the Committee on Rules and Administration recommends that H.F. No. 749 be amended as follows:

Page 2, after line 28, insert:

“Sec. 3. [POWERS; SUPPLEMENTARY.]

The powers and authority granted to the city by this act are supplementary to and not in substitution for any other power granted to the city by law or charter.”

Page 2, line 32, after “1983” insert a comma

Page 3, delete lines 1 to 4

Renumber the sections in sequence

And when so amended H.F. No. 749 will be identical to S.F. No. 762, and further recommends that H.F. No. 749 be given its second reading and substituted for S.F. No. 762, 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. 870 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

H.F. No.	S.F. No.
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CONSENT CALENDAR

H.F. No.	S.F. No.
870	711

CALENDAR

H.F. No.	S.F. No.
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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. 530 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.
530	549				

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H.F. No. 530 be amended as follows:

Page 1, line 13, reinstate the stricken language and delete the new language

Page 1, line 13, after "omission" insert "*in this state*"

Page 1, line 14, delete the new language

Page 1, line 15, reinstate the stricken "both" and delete the new language

Page 1, line 16, delete the new language

Page 1, line 17, strike "such" and insert "*the*"

And when so amended H.F. No. 530 will be identical to S.F. No. 549, and further recommends that H.F. No. 530 be given its second reading and substituted for S.F. No. 549, 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. 667 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.
667	702				

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H.F. No. 667 be amended as follows:

Page 1, delete lines 8 to 20 and insert:

"Employers who offer time off to their employees because they become biological parents shall allow time off on the same terms to employees who become parents by adoption procedures. An employer shall not penalize an employee for requesting or obtaining time off according to this section."

And when so amended H.F. No. 667 will be identical to S.F. No. 702, and further recommends that H.F. No. 667 be given its second reading and substituted for S.F. No. 702, 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. 491 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.
491	558				

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H.F. No. 491 be amended as follows:

Page 1, line 20, delete "*will*" and insert "*may*"

Page 2, line 21, after "*utilizing*" insert "*one or more of*"

Page 3, line 13, after "(3)" insert ", paragraphs"

Page 3, line 21, after "*facilities,*" insert "*hospitals, providers of medical care,*"

Page 3, line 25, delete "*supervise*" and insert "*review*"

And when so amended H.F. No. 491 will be identical to S.F. No. 558, and further recommends that H.F. No. 491 be given its second reading and substituted for S.F. No. 558, and that the Senate File be indefinitely postponed.

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

SECOND READING OF SENATE BILLS

S.F. Nos. 769, 512, 954, 923, 588, 771 and 929 were read the second time.

SECOND READING OF HOUSE BILLS

H.F. Nos. 194, 599, 157, 787, 749, 870, 530, 667 and 491 were read the second time.

MOTIONS AND RESOLUTIONS

Mr. Dicklich moved that the name of Mr. Johnson, D.J. be added as a co-author to S.F. No. 1126. The motion prevailed.

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

CONSENT CALENDAR

H.F. No. 730: A bill for an act relating to drivers licenses; prohibiting the operation of a motor vehicle in this state by either a resident or nonresident whose license has been revoked, suspended, or cancelled until Minnesota driving privileges are reinstated; amending Minnesota Statutes 1982, section 171.20, subdivision 2; repealing Minnesota Statutes 1982, section 171.181, subdivision 2.

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

The question was taken on the passage of the bill.

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

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

H.F. No. 909: A bill for an act relating to the range association of municipalities and schools; defining its permitted area; amending Minnesota Statutes 1982, section 471.58.

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

The question was taken on the passage of the bill.

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

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

H.F. No. 804: A bill for an act relating to courts; providing for transcript fees in the second judicial district; amending Minnesota Statutes 1982, section 486.06; proposing new law coded in Minnesota Statutes, chapter 486.

Mr. Sieloff moved that the amendment made to H.F. No. 804 by the Committee on Rules and Administration in the report adopted April 14, 1983, pursuant to Rule 49, be stricken. The motion prevailed. So the amendment was stricken.

H.F. No. 804 was then progressed.

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

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

The question was taken on the passage of the bill.

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

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

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

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

The question was taken on the passage of the bill.

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

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

H.F. No. 601: A bill for an act relating to retirement; miscellaneous amendments to the law governing the public employees retirement association; amending Minnesota Statutes 1982, sections 353.27, subdivisions 4 and 12; 353.28, subdivision 5; 353.29, subdivisions 6 and 8; 353.32, subdivision 1; 353.33, subdivision 5; and 353.34, subdivision 2.

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

The question was taken on the passage of the bill.

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

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

H.F. No. 631: A bill for an act relating to Hennepin County; authorizing employees to withdraw from participation in the Hennepin County supplemental retirement fund.

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

The question was taken on the passage of the bill.

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

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

S.F. No. 900: A bill for an act relating to retirement; teachers; definitions, coordination with social security benefits, and various administrative changes; amending Minnesota Statutes 1982, sections 354.05, subdivisions 2 and 35; 354.44, subdivision 5; 354.52, subdivision 4; and 354.63, subdivision 2; and Laws 1982, Third Special Session chapter 1, article II, section 7.

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

The question was taken on the passage of the bill.

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

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

H.F. No. 251: A bill for an act relating to retirement; police and salaried firefighters relief associations; modifying the governance of the trust funds after the local relief association ceases to exist; updating obsolete language; clarifying ambiguous language; amending Minnesota Statutes 1982, section 423A.01, subdivisions 2 and 4.

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

The question was taken on the passage of the bill.

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

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

H.F. No. 384: A bill for an act relating to retirement; local police and salaried firefighters relief associations; requiring annual valuations; deleting requirement of quadrennial experience studies; removing obsolete language; amending Minnesota Statutes 1982, sections 69.77, subdivision 2; and 356.216.

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

The question was taken on the passage of the bill.

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

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

H.F. No. 838: A bill for an act relating to transportation; conforming with federal requirements allowing a state authority to exercise jurisdiction over intrastate transportation provided by rail carrier; amending Minnesota Statutes 1982, sections 218.031, subdivision 1; 218.041, subdivision 2; and 218.071, subdivision 1.

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

The question was taken on the passage of the bill.

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

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

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.

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

The question was taken on the passage of the bill.

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

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

MOTIONS AND RESOLUTIONS - CONTINUED

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

CALENDAR

H.F. No. 581: A bill for an act relating to counties; providing for the formal extinction of certain abandoned interests in county highways; amending Minnesota Statutes 1982, section 163.11, by adding a subdivision.

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

The question was taken on the passage of the bill.

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

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

H.F. No. 508: A bill for an act relating to insurance; requiring all notices of cancellation of homeowner's policies to be written in language that is easy to read and understandable; amending Minnesota Statutes 1982, section 65A.29, subdivision 4.

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

The question was taken on the passage of the bill.

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

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

S.F. No. 292: A bill for an act relating to public welfare; defining persons responsible for a child's care under the child abuse reporting law; amending Minnesota Statutes 1982, section 626.556, subdivisions 2, 7, and 10.

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

The question was taken on the passage of the bill.

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

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

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

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

The question was taken on the passage of the bill.

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

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

H.F. No. 610: A bill for an act relating to financial institutions; industrial loan and thrift companies; regulated loans; enlarging the group of institutions which may utilize electronic fund transfer facilities; modifying the capital and reserve limitation on loans by industrial loan and thrift companies; permitting loan and thrifts and regulated lenders to take discount points in certain circumstances; authorizing loan and thrifts to receive savings accounts and savings deposits subject to certain prescribed conditions; regulating loan splitting; eliminating the receipt requirement for money orders; standardizing certain penalties; excepting loan and thrifts and regulated lenders from the licensing requirements for real estate brokers and salespersons; amending Minnesota Statutes 1982, sections 47.61, subdivision 4; 47.64, subdivision 1; 48.196; 53.03, subdivision 5; 53.04, subdivisions 3a and 5; 53.05; 53.07, subdivision 2; 53.10; 56.131, subdivision 3, and by adding a subdivision; 56.14; 56.19, subdivision 1; 80A.15, subdivision 1; and 82.18; repealing Minnesota Statutes 1982, section 56.19, subdivision 2.

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

The question was taken on the passage of the bill.

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

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

S.F. No. 160: A bill for an act relating to retirement; volunteer firefighters' relief associations; adding definitions; providing for distribution of assets upon dissolution; clarifying ambiguous language; amending Minnesota Statutes 1982, sections 69.772, subdivisions 1, 2, and 3; 424A.01;

424A.02; 424A.03, subdivision 1; 424A.04; 424A.05; and 424A.08; proposing new law coded in Minnesota Statutes, chapter 424A; repealing Minnesota Statutes 1982, section 424.26.

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

The question was taken on the passage of the bill.

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

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

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

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 64 and nays 2, as follows:

Those who voted in the affirmative were:

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

Messrs. Pehler and Stumpf voted in the negative.

So the bill passed and its title was agreed to.

H.F. No. 511: A bill for an act relating to labor; creating an exemption to the minimum wage overtime provisions for silo builders; amending Minnesota Statutes 1982, section 177.25, by adding a subdivision.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 40 and nays 22, as follows:

Those who voted in the affirmative were:

Adkins	Davis	Knaak	Nelson	Schmitz
Anderson	DeCramer	Kroening	Pehler	Sieloff
Belanger	Frederickson	Laidig	Peterson, C.C.	Solon
Bernhagen	Freeman	Lessard	Peterson, D.C.	Stumpf
Bertram	Hughes	Luther	Petty	Taylor
Brataas	Johnson, D.E.	McQuaid	Purfeerst	Ulland
Chmielewski	Jude	Mehrkins	Ramstad	Wegscheid
Dahl	Kamrath	Moe, R. D.	Reichgott	Willet

Those who voted in the negative were:

Benson	Frederick	Lantry	Pogemiller	Vega
Berg	Isackson	Merriam	Renneke	Waldorf
Dicklich	Johnson, D.J.	Moe, D. M.	Samuelson	
Dieterich	Knutson	Peterson, D.L.	Spear	
Frank	Kronebusch	Peterson, R.W.	Storm	

So the bill passed and its title was agreed to.

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

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 63 and nays 1, as follows:

Those who voted in the affirmative were:

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

Mr. Knaak voted in the negative.

So the bill passed and its title was agreed to.

S.F. No. 843: A bill for an act relating to veterans; authorizing the commissioner of veterans affairs to accept gifts; revising the procedure for purchasing veterans grave markers; authorizing an imprest cash fund at veterans homes; providing for the disposal of abandoned property of veterans at veterans homes; amending Minnesota Statutes 1982, section 197.23; proposing new law coded in Minnesota Statutes, chapter 198; and repealing Minnesota Statutes 1982, section 198.055.

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

The question was taken on the passage of the bill.

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

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

S.F. No. 159: A bill for an act relating to occupations and professions; regulating chiropractic practice; providing rulemaking authority for the board of chiropractic examiners; creating a legislative study commission; amending Minnesota Statutes 1982, sections 148.01; 148.06; and 148.08, and by adding a subdivision.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 65 and nays 1, as follows:

Those who voted in the affirmative were:

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

Mr. Dieterich voted in the negative.

So the bill passed and its title was agreed to.

S.F. No. 831: A bill for an act relating to elections; adopting court ordered congressional redistricting plan with minor adjustments; proposing new law coded in Minnesota Statutes, chapter 2; repealing Minnesota Statutes 1982, sections 2.741 to 2.811.

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

The question was taken on the passage of the bill.

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

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

S.F. No. 275: A bill for an act relating to public utilities; specifying the regulatory treatment of certain expenses; amending Minnesota Statutes 1982, section 216B.16, by adding a subdivision.

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

The question was taken on the passage of the bill.

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

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

H.F. No. 210: A bill for an act relating to historical societies; fixing the maximum city or town tax for a county historical society; amending Minnesota Statutes 1982, section 138.053.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 62 and nays 4, as follows:

Those who voted in the affirmative were:

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

Messrs. Bertram, Davis, Frederickson and Peterson, D.L. voted in the negative.

So the bill passed and its title was agreed to.

S.F. No. 857: A bill for an act relating to agriculture; excluding pipeline companies from certain restrictions on acquisition of agricultural land; amending Minnesota Statutes 1982, section 500.221, subdivision 2.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 63 and nays 3, as follows:

Those who voted in the affirmative were:

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

Messrs. Bertram, Pehler and Waldorf voted in the negative.

So the bill passed and its title was agreed to.

S.F. No. 808: A bill for an act relating to the state seal; providing a description of the official state seal; amending Minnesota Statutes 1982, section 1.143; proposing new law coded in Minnesota Statutes, chapter 1; repealing Minnesota Statutes 1982, sections 1.144 and 358.02.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 41 and nays 25, as follows:

Those who voted in the affirmative were:

Adkins	Diessner	Knutson	Moe, D. M.	Sieloff
Anderson	Frank	Kronebusch	Moe, R. D.	Solon
Belanger	Frederick	Laidig	Nelson	Storm
Benson	Frederickson	Langseth	Olson	Taylor
Berg	Isackson	Lantry	Peterson, D. L.	Ulland
Bernhagen	Johnson, D. E.	Lessard	Peterson, R. W.	
Bertram	Jude	McQuaid	Purfeerst	
Brataas	Kamrath	Mehrkins	Ramstad	
DeCramer	Knaak	Merriam	Renneke	

Those who voted in the negative were:

Berglin	Dieterich	Luther	Pogemiller	Stumpf
Chmielewski	Freeman	Pehler	Reichgott	Vega
Dahl	Hughes	Peterson, C. C.	Samuelson	Waldorf
Davis	Johnson, D. J.	Peterson, D. C.	Schmitz	Wegscheid
Dicklich	Kroening	Petty	Spear	Willet

So the bill passed and its title was agreed to.

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

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

The question was taken on the passage of the bill.

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

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

S.F. No. 53: A bill for an act relating to acknowledgement of instruments; providing that legal documents can be signed and certified to be true under penalty of perjury in lieu of acknowledgement in the presence of a notary public; prescribing penalties; amending Minnesota Statutes 1982, section 609.48, subdivision 1, and by adding a subdivision; proposing new law coded in Minnesota Statutes, chapter 358.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 47 and nays 18, as follows:

Those who voted in the affirmative were:

Adkins	Dieterich	Lantry	Pehler	Samuelson
Anderson	Frank	Lessard	Peterson, C. C.	Schmitz
Belanger	Freeman	Luther	Peterson, D. C.	Solon
Berg	Hughes	Mehrkens	Peterson, R. W.	Stumpf
Bertram	Isackson	Merriam	Petty	Vega
Dahl	Johnson, D. J.	Moe, D. M.	Pogemiller	Wegscheid
Davis	Jude	Moe, R. D.	Purfeerst	Willet
DeCramer	Kronebusch	Nelson	Ramstad	
Dicklieh	Laidig	Novak	Reichgott	
Diessner	Langseth	Olson	Renneke	

Those who voted in the negative were:

Benson	Frederick	Knaak	Peterson, D. L.	Ulland
Bernhagen	Frederickson	Knutson	Sieloff	Waldorf
Brataas	Johnson, D. E.	Kroening	Storm	
Chmielewski	Kamrath	McQuaid	Taylor	

So the bill passed and its title was agreed to.

MOTIONS AND RESOLUTIONS - CONTINUED

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. Hughes in the chair.

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

S.F. Nos. 420, 506 and 464, which the committee recommends to pass.

S.F. No. 391, which the committee recommends to pass with the following amendment offered by Mr. Vega:

Page 5, after line 19, insert:

“Sec. 7. [EFFECTIVE DATE.]

This act is effective the day after final enactment.”

The motion prevailed. So the amendment was adopted.

S.F. No. 634, which the committee reports progress, subject to the following motions:

Mr. Moe, R.D. moved to amend S.F. No. 634 as follows:

Page 5, delete lines 17 to 19

Page 5, lines 20, 22, and 25, delete “two” and insert “four”

Page 5, line 22, after “by” insert “the subcommittee on committees of”

Reletter the clauses in sequence

The motion prevailed. So the amendment was adopted.

Mr. Merriam moved to amend S.F. No. 634 as follows:

Page 4, line 3, delete "may be"

Page 4, line 4, delete "issued to" and insert "is required for"

Page 4, line 5, delete "or"

Page 4, line 6, delete everything before the period and insert "for compensation"

The motion prevailed. So the amendment was adopted.

Mr. Benson moved to amend S.F. No. 634 as follows:

Page 4, after line 13, insert:

"The commissioner shall spend ten percent of the proceeds of the surcharge to purchase fish from private hatcheries for stocking purposes in a competitive bidding process under the requirements of chapter 16."

Page 4, line 14, after "spend" insert "the balance of"

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 26 and nays 35, as follows:

Those who voted in the affirmative were:

Anderson	Chmielewski	Knaak	Mehrkens	Storm
Belanger	Frederick	Knutson	Olson	Ulland
Benson	Frederickson	Kronebusch	Peterson, D.L.	
Berg	Isackson	Laidig	Purteerst	
Bernhagen	Johnson, D.E.	Lessard	Renneke	
Brataas	Kamrath	McQuaid	Sieloff	

Those who voted in the negative were:

Adkins	Diessner	Kroening	Peterson, C.C.	Schmitz
Berglin	Dieterich	Langseth	Peterson, D.C.	Solon
Bertram	Frank	Lantry	Peterson, R.W.	Spear
Dahl	Freeman	Merriam	Petty	Stumpf
Davis	Hughes	Moe, R. D.	Pogemiller	Waldorf
DeCramer	Johnson, D.J.	Nelson	Reichgott	Wegscheid
Dicklich	Jude	Novak	Samuelson	Willet

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

S.F. No. 634 was then progressed.

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

Remaining on the Order of Business of Motions and Resolutions, Mr. Moe, R.D. moved that the Senate revert to the Order of Business of the Consent Calendar. The motion prevailed.

CONSENT CALENDAR

H.F. No. 804: A bill for an act relating to courts; providing for transcript fees in the second judicial district; amending Minnesota Statutes 1982, section 486.06; proposing new law coded in Minnesota Statutes, chapter 486.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 34 and nays 27, as follows:

Those who voted in the affirmative were:

Adkins	Freeman	Langseth	Olson	Sieloff
Anderson	Hughes	Lessard	Peterson, D.C.	Solon
Belanger	Jude	McQuaid	Peterson, R.W.	Spear
Berg	Kamrath	Mehrkens	Petty	Storm
DeCramer	Knaak	Moe, R. D.	Pogemiller	Ulland
Diessner	Knutson	Nelson	Ramstad	Waldorf
Dieterich	Kroening	Novak	Reichgott	

Those who voted in the negative were:

Benson	Dahl	Isackson	Merriam	Stumpf
Berglin	Davis	Johnson, D.E.	Pehler	Wegscheid
Bernhagen	Dicklich	Johnson, D.J.	Peterson, C.C.	Willet
Bertram	Frank	Kronebusch	Peterson, D.L.	
Brataas	Frederick	Laidig	Purfeerst	
Chmielewski	Frederickson	Lantry	Schmitz	

So the bill passed and its title was agreed to.

MOTIONS AND RESOLUTIONS - CONTINUED

Mr. Johnson, D.J. moved that S.F. No. 1151 be withdrawn from the Committee on Taxes and Tax Laws and re-referred to the Committee on Judiciary. The motion prevailed.

Mr. Schmitz moved that S.F. No. 984 be withdrawn from the Committee on Local and Urban Government and re-referred to the Committee on Taxes and Tax Laws. The motion prevailed.

Mr. Laidig moved that S.F. No. 295 be withdrawn from the Committee on Health and Human Services and re-referred to the Committee on Economic Development and Commerce. 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. Jude introduced—

S.F. No. 1170: A bill for an act relating to taxation; income; increasing the income limitation for purposes of the farm loss modification; amending Minnesota Statutes 1982, section 290.09, subdivision 29.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Berg, Lessard, Frederickson, Benson and Isackson introduced—

S.F. No. 1171: A resolution memorializing the President and Secretary of Agriculture of the United States to allow 10 percent of wheat and feed grain base acreage to qualify for federal land diversion programs when they are sown down as permanent cover for wildlife habitat or as a soil conservation practice.

Referred to the Committee on Agriculture and Natural Resources.

Messrs. Berg and Peterson, D.L. introduced—

S.F. No. 1172: A bill for an act relating to education; requiring that fees charged for financial accounting by a regional management information center be based on consumption; requiring the department of education to establish a method for direct submission of financial data; setting up a pilot project to test the reporting method; amending Minnesota Statutes 1982, section 121.936, by adding a subdivision; and proposing new law coded in Minnesota Statutes, chapter 121.

Referred to the Committee on Education.

Messrs. Solon; Moc, R.D.; Petty; Knaak and Ms. Peterson, D.C. introduced—

S.F. No. 1173: A bill for an act relating to insurance; regulating policies of automobile insurance providing comprehensive coverage; requiring an option to purchase full coverage of safety glass damage; proposing new law coded in Minnesota Statutes, chapter 65B.

Referred to the Committee on Economic Development and Commerce.

Messrs. Anderson, Storm, Kamrath, Knaak and Isackson introduced—

S.F. No. 1174: A bill for an act relating to taxation; changing terminology, eligibility, and procedures relating to enterprise zones; exempting certain property from the sales tax and property tax; exempting certain corporate income from the income tax; amending Minnesota Statutes 1982, sections 273.1312; and 273.1313.

Referred to the Committee on Taxes and Tax Laws.

Ms. Reichgott, Messrs. Jude and Ramstad introduced—

S.F. No. 1175: A bill for an act relating to retirement; qualifying park district police for certain pension aids; amending Minnesota Statutes 1982, section 69.011, subdivision 1.

Referred to the Committee on Governmental Operations.

Messrs. Moc, D.M.; Purfeerst; Dieterich, Ms. Berglin and Mr. Pogemiller introduced—

S.F. No. 1176: A bill for an act relating to transportation; designating the highway marked No. 1-94 within the St. Paul city limits as the "Wilkins Memorial Expressway"; appropriating money; amending Minnesota Statutes 1982, section 161.14, by adding a subdivision.

Referred to the Committee on Transportation.

Messrs. Davis, Isackson, DeCramer, Wegscheid and Merriam introduced—

S.F. No. 1177: A bill for an act relating to game and fish; authorizing the selection of alternate areas by deer hunters hunting on a bucks only license; amending Minnesota Statutes 1982, sections 97.48, subdivision 24; and

98.46, subdivision 2.

Referred to the Committee on Agriculture and Natural Resources.

Messrs. Davis; Peterson, R.W. and Renneke introduced—

S.F. No. 1178: A bill for an act relating to public welfare; providing for membership on hospital planning committees; requiring hospital planning committees to assess local and regional mental health systems and to recommend alternative uses of state hospital facilities; imposing certain duties relating to planning for use of state hospital facilities on the commissioners of public welfare, health, and administration; creating a joint legislative committee on uses of state hospital facilities; amending Minnesota Statutes 1982, section 246.022, subdivision 1, and by adding a subdivision; proposing new law coded in Minnesota Statutes, chapter 246.

Referred to the Committee on Health and Human Services.

Messrs. Davis, DeCramer and Frank introduced—

S.F. No. 1179: A bill for an act relating to communications; restricting formation of joint cable communications commissions; clarifying joint cable communications commission; providing for notification of certain schools during cable service franchising; amending Minnesota Statutes 1982, sections 238.02, subdivision 14; 238.08, subdivision 5; 238.09, subdivision 6, and by adding a subdivision.

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

Mr. Pogemiller introduced—

S.F. No. 1180: A bill for an act relating to public welfare; exempting a portion of homestead property from claims filed to recover state hospital costs or medical assistance payments; amending Minnesota Statutes 1982, sections 246.53, subdivision 2; and 256B.15.

Referred to the Committee on Health and Human Services.

Messrs. Samuelson, Benson and Ms. Berglin introduced—

S.F. No. 1181: A bill for an act relating to handicapped persons; establishing a program in the department of economic security to distribute grants to centers providing independent living services; appropriating money; proposing new law coded in Minnesota Statutes, chapter 129A.

Referred to the Committee on Health and Human Services.

Mr. Samuelson introduced—

S.F. No. 1182: A bill for an act relating to education; requiring school districts to expend at least two percent of total operating expenditures for extracurricular and co-curricular activities; proposing new law coded in Minnesota Statutes, chapter 120.

Referred to the Committee on Education.

MEMBERS EXCUSED

Mr. Berg was excused from the Session of today until 10:30 a.m. Mr. Novak was excused from the Session of today until 11:40 a.m.

ADJOURNMENT

Mr. Moe, R.D. moved that the Senate do now adjourn until 12:00 noon, Wednesday, April 20, 1983. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate