

FORTY-SECOND DAY

St. Paul, Minnesota, Thursday, April 28, 1983

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

CALL OF THE SENATE

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

Prayer was offered by the Chaplain, Monsignor Terrence J. Murphy.

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

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

The President declared a quorum present.

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

EXECUTIVE AND OFFICIAL COMMUNICATIONS

The following communications were received and referred to the committee indicated.

April 22, 1983

The Honorable Jerome M. Hughes
President of the Senate

Dear Sir:

The following appointment as Commissioner of Veterans' Affairs is hereby respectfully submitted to the Senate for confirmation as required by law:

James H. Main, 1575 Crest Drive, Chaska, Carver County, has been ap-

pointed by me, effective January 3, 1983, for a term expiring the first Monday in January, 1987.

(Referred to the Committee on Veterans and General Legislation.)

Sincerely,

Rudy Perpich, Governor

April 22, 1983

The Honorable Jerome M. Hughes
President of the Senate

Dear Sir:

I have the honor of informing you that I have received, approved, signed and deposited in the Office of the Secretary of State, S.F. No. 1195.

Sincerely,

Rudy Perpich, Governor

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. 148, 464, 611, 653 and 854.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned April 27, 1983

Mr. President:

I have the honor to announce the passage by the House of the following House Files, herewith transmitted: H.F. Nos. 270, 380, 904, 1101, 521 and 1171.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted April 27, 1983

FIRST READING OF HOUSE BILLS

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

H.F. No. 270: A bill for an act relating to agriculture; providing that certain agricultural operations are not private or public nuisances; amending Minnesota Statutes 1982, section 561.19, subdivision 2; repealing Minnesota Statutes 1982, section 561.19, subdivision 5.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 84, now on Special Orders.

H.F. No. 380: A bill for an act relating to negligence; regulating the liability of good samaritans; amending Minnesota Statutes 1982, section 604.05.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 373, now on Special Orders.

H.F. No. 904: A bill for an act relating to transportation; establishing collective rate-making procedure for motor vehicle carriers; proposing new law coded in Minnesota Statutes, chapter 221.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 904, now on Special Orders.

H.F. No. 1101: A bill for an act relating to natural resources; authorizing the commissioner to sell to or exchange surplus tree planting stock with other states and the federal government under certain circumstances; amending Minnesota Statutes 1982, section 89.36, by adding a subdivision.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 922, now on Special Orders.

H.F. No. 521: A bill for an act relating to financial institutions; providing for the payment of hearing costs on contested applications; including credit union share insurance corporations and industrial loan and thrift guarantee issuers in the group of organizations permitted to receive examination reports; removing the requirement that a financial institution's board of directors hold qualifying shares; clarifying limitations on junior mortgage loans by banks; establishing application fees; removing a certain filing requirement; reducing the number of savings association incorporators; clarifying the notice requirements for savings association conversions; clarifying the industrial loan and thrift company lending limit and increasing the capital to deposit limitation; providing first installment requirements for regulated lenders and motor vehicle sales finance companies; providing credit insurance disclosure requirements for regulated lenders; clarifying financial corporation organizational requirements; amending Minnesota Statutes 1982, sections 45.04, subdivision 1; 46.07, subdivision 2; 47.54, subdivision 1; 48.06; 48.19, subdivision 1; 48.68; 49.36, subdivision 1; 49.37; 51A.03, subdivisions 1 and 4; 51A.065, subdivision 4; 51A.13, subdivisions 2 and 2a; 51A.23, subdivisions 6 and 7; 51A.51, subdivisions 2 and 3a; 52.203; 53.01; 53.03, subdivisions 1, 5, and 6; 53.04, subdivision 3a; 53.05; 53.06; 56.001, subdivision 3; 56.131, subdivision 1; 56.155, subdivision 1; 168.72, subdivision 1; 300.025; and 300.20; proposing new law coded in Minnesota Statutes, chapter 47.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 853.

H.F. No. 1171: A bill for an act relating to taxation; clarifying the income tax treatment of certain debt obligations of state and local governments; amending Minnesota Statutes 1982, sections 80A.09, subdivision 1; 115A.69, subdivision 6; 116A.25; 116J.89, subdivision 6; 136.32; 136A.179; 136A.39; 193.146, subdivision 4; 272.02, subdivision 1; 362A.07; 447.35; 447.49; 458.193, subdivision 6; 458A.05, subdivision 6; 458A.09; 462.191, subdivision 3; 462.551; 462A.19, subdivision 1; 472.09, subdivision 4; 473.436, subdivision 6; 473.448; 473.545; and 473.666; repealing Minnesota Statutes 1982, sections 116J.89, subdivision 7; 462A.19, subdivision 2; and 474.12.

Referred to the Committee on Taxes and Tax Laws.

REPORTS OF COMMITTEES

Mr. Moe, R.D. moved that the Committee Reports at the Desk be now

adopted. The motion prevailed.

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

S.F. No. 1008: A bill for an act relating to courts; authorizing the appointment of court referees; removing term of office restrictions for district court judges assigned to the family court division of the fourth judicial district; amending Minnesota Statutes 1982, sections 260.031, subdivision 1; 484.65, subdivisions 1, 4, 5, and 6; and 484.70, subdivision 1; repealing Minnesota Statutes 1982, section 260.019, subdivision 3.

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

Page 2, delete section 2

Page 4, line 7, delete "*260.019, subdivision 3*" and insert "*484.701*"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 3, delete everything after the semicolon

Page 1, delete line 4

Page 1, line 5, delete everything before "amending"

Page 1, line 7, delete "1,"

Page 1, line 9, delete "*260.019, subdivision 3*" and insert "*484.701*"

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. 1031: A bill for an act relating to agriculture; regulating commerce in seeds; establishing a seed laboratory for the regulatory and service testing of seeds; appropriating money; imposing penalties; proposing new law coded in Minnesota Statutes, chapter 21; repealing Minnesota Statutes 1982, sections 21.47 to 21.58.

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

Page 1, delete section 1

Page 1, lines 18, 20, and 25, delete "*2 to 14*" and insert "*1 to 13*"

Page 2, line 8, delete "*each*" and insert "*two or more of which are*"

Page 2, line 20, delete "*blending*" and insert "*combining*"

Page 2, line 24, delete "*blending*" and insert "*combining*"

Page 2, line 36, after "*and*" insert "*the name of the person*"

Page 3, line 33, delete "*each*" and insert "*two or more of which are*"

Page 6, line 13, delete "*or tag*"

Page 6, line 14, delete "statement" and insert "information"

Page 6, line 18, delete "4, 5, 6, 7"

Page 6, line 19, delete "and 8" and insert "3 to 9"

Page 6, delete lines 29 to 36

Page 7, delete lines 1 to 5

Page 7, line 6, delete "seed." and insert "(b)" and delete "shall be shown on the label"

Page 7, line 7, after "the" insert "name of the" and before the period, insert "or variety in the manner provided in subdivision 3"

Page 7, line 8, delete everything before the second "the" and insert "(c)"

Page 7, line 9, delete the quotation marks and before the period, insert "if the seed in the container is a blend"

Page 7, line 10, delete everything before the second "the" and insert "(d)"

Page 7, line 11, delete all quotation marks and before the period, insert "if the seed in the container is a mixture"

Page 7, delete lines 12 and 13

Page 7, line 14, delete "(b)" and insert "(e) The"

Page 7, line 15, delete "(c)" and insert "(f) The"

Page 7, line 16, delete "(d)" and insert "(g) The"

Page 7, line 21, delete "(e)" and insert "(h) The"

Page 7, line 22, delete ". They shall be" and insert a comma

Page 7, line 26, delete "(f)" and insert "(i) The"

Page 7, line 27, delete "other than those" and insert "not"

Page 7, line 28, delete ". They shall be" and insert a comma

Page 7, line 31, delete "(g)" and insert "(j) The"

Page 7, line 32, delete "(h)" and insert "(k) The"

Page 8, line 1, delete "(i)" and insert "(l)"

Page 8, line 6, delete "(j)" and insert "(m) The"

Page 8, after line 8, insert:

"Subd. 3. [HYBRIDS.] If a seed is labeled as a hybrid, the percentage that is hybrid shall be at least 95 percent of the percentage of pure seed shown unless the percentage of pure seed which is hybrid seed is shown separately. If two or more kinds or varieties are present in excess of five percent and are named on the label, each that is hybrid shall be designated as hybrid on the label. Any one kind or variety that has pure seed which is less than 95 percent but more than 75 percent hybrid seed as a result of incompletely controlled pollination in a cross shall be labeled to show the percentage of pure seed that is hybrid seed or a statement such as "contains from 75 percent to

95 percent hybrid seed". No one kind or variety of seed shall be labeled as hybrid if the pure seed contains less than 75 percent hybrid seed."

Page 8, line 27, delete "purposes"

Page 9, line 4, after "the" insert "following"

Page 9, line 5, delete "in clauses (a) to (c)"

Page 9, line 28, after "the" insert "following"

Page 9, line 29, delete "in clauses (a) to (d)" and delete everything after the period

Page 9, line 30, delete "label."

Page 10, after line 14, insert:

"(e) The origin may be omitted from the label."

Page 10, line 15, delete everything before "shall" and insert "For flower seeds, the following requirements apply:

(a) The label"

Renumber the subdivisions in sequence

Page 12, line 28, delete "4 or 5" and insert "3 or 4"

Page 12, lines 32 and 33, delete the quotation marks

Page 12, line 36, delete "2 to 14" and insert "1 to 13"

Page 13, delete lines 3 to 9 and insert "and for this purpose may hire temporary, part-time employees in unclassified positions subject to the approval of the commissioner of employee relations. Compensation for these employees shall be determined under section 43A.18, subdivision 1 or 2."

Page 13, lines 11, 14, 19, 21, 25 and 32, delete "2 to 14" and insert "1 to 13"

Page 13, line 15, delete "conveyor by" and after "air" insert "conveyance"

Page 13, line 16, delete "conveyor" and insert "conveyance"

Page 13, lines 30 and 36, delete the quotation marks

Page 13, line 36, delete everything after the period

Page 14, line 1, delete everything before the first "the" and delete the second "the"

Page 14, line 2, after "seed" insert "subject to a stop sale order"

Page 14, line 3, delete "prohibiting"

Page 14, line 4, delete everything before "in"

Page 14, line 5, delete everything after the period

Page 14, delete lines 6 and 7

Page 14, lines 9, 23 and 29, delete "2 to 14" and insert "1 to 13"

Page 14, line 9, after "seizure" insert "or condemnation"

Page 14, line 17, delete "*into compliance*" and insert "*to comply with sections 1 to 13*"

Page 14, line 18, delete "*When*" and delete "*applies*" and insert "*may apply*,"

Page 14, line 19, after "*court*" insert "*of competent jurisdiction*"

Page 14, lines 20 to 21, delete "*2 to 14*" and insert "*1 to 13*"

Page 14, line 21, delete the comma and insert a period

Page 14, line 25, delete "*shall*" and insert "*may*" and delete "*without*" and insert "*until*"

Page 14, line 26, delete "*having*" and insert "*has had*"

Page 14, lines 34 to 35, delete "*2 to 14*" and insert "*1 to 13*"

Page 14, line 36, delete "*and*"

Page 15, line 1, delete "*alter*"

Page 15, line 3, delete "*make necessary*"

Page 15, line 4, delete everything before "*for*" and insert "*adopt rules pursuant to chapter 14*"

Page 15, line 5, delete "*2 to 14*" and insert "*1 to 13*" and delete "*shall*" and insert "*adopted under prior law relating to seed labeling and regulation*" and delete "*unless*"

Page 15, delete line 6 and insert "*until amended or repealed under this subdivision.*"

Page 15, line 11, delete everything after "*identification*" and insert a period

Page 15, delete lines 12 to 15

Page 15, line 29, delete "*4 and 5*" and insert "*3 and 4*"

Page 16, lines 6 and 21, delete "*4 and 5*" and insert "*3 and 4*"

Page 16, line 27, delete "*or*" and insert "*and*"

Page 17, line 6, delete "*6*" and insert "*5*"

Page 17, lines 9 and 10, delete "*4 and 5*" and insert "*3 and 4*"

Page 17, line 12, delete "*2 to 14*" and insert "*1 to 13*"

Page 17, line 13, delete the quotation marks

Page 17, lines 25 and 33, delete "*4 and 5*" and insert "*3 and 4*"

Page 18, line 2, delete "*4 and 5*" and insert "*3 and 4*"

Page 18, line 5, delete "*2 to 14*" and insert "*1 to 13*" and delete "*7*" and insert "*6*"

Page 18, line 7, before "*A*" insert "*Conviction of*" and delete "*by a person*" and insert "*of the same provision*"

Page 18, delete lines 9 to 13

Page 18, line 14, delete "*is not subject*"

Page 18, delete line 15

Page 18, line 16, before "*which*" insert "*who sells seeds*" and delete "*were*" and insert "*are*"

Page 18, line 18, after the second comma, insert "*is not subject to any penalty under subdivision 1*"

Page 18, line 19, delete "*he*" and insert "*the person*"

Renumber the subdivisions in sequence

Page 18, lines 25 and 27, delete "*2 to 14*" and insert "*1 to 13*"

Page 18, line 26, delete "*set by rule*" and insert "*establish*"

Page 18, lines 31 to 32, delete "*2 to 14*" and insert "*1 to 13*"

Page 18, line 33, delete "*ending*"

Page 18, line 34, delete "*June 30 and December 31 of each year*" and insert "*established by the commissioner*"

Page 19, line 1, delete "*semiannual*" and insert "*reporting*"

Page 19, line 6, delete "*of \$10*" and insert "*fee established by the commissioner*"

Page 19, line 7, delete "*semiannual*"

Page 19, line 9, delete "*semiannual*" and insert "*reporting*"

Page 19, lines 11 and 16, delete "*fee*"

Page 20, line 2, after "*The*" insert "*commissioner shall establish the*"

Page 20, line 2, delete "*shall*"

Page 20, line 3, delete "*be established by rule*"

Page 21, line 4, delete "*Should*" and insert "*If*"

Page 21, line 5, delete "*wish*" and insert "*wishes*"

Page 21, line 6, before "*the*" insert "*and*"

Page 21, line 7, after "*owner*" insert "*has*" and delete "*having*"

Page 21, line 8, delete "*not having any*" and insert "*has no*"

Page 21, line 10, delete "*is required*"

Page 21, line 11, delete "*to*" and insert "*shall*"

Page 21, line 13, delete "*Should*"

Page 21, line 14, delete "*be guilty*" and insert "*who is convicted*"

Page 21, line 16, delete "*, then the violator must*" and insert "*shall*"

Page 21, line 26, delete "*be determined by rule*" and insert "*at least equal 80 percent of the total revenue from all hybrid seed field corn variety registrations*"

Page 22, lines 5, 10 and 12, delete "*2 to 14*" and insert "*1 to 13*"

Page 22, line 7, delete "*16A.28 and the adjustments are not*" and insert "*16A.128*"

Page 22, line 8, delete "*subject to chapter 14*"

Page 22, line 12, delete "*If, at any time after June 30, 1984, this*"

Page 22, delete lines 13 to 24

Page 22, line 30, delete "*16*" and insert "*14*"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 4, delete "*appropriating money;*"

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

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

S.F. No. 662: A bill for an act relating to economic development; creating the office of tourism; assigning powers and duties; appropriating money; proposing new law coded in Minnesota Statutes, chapter 4.

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

Page 1, line 15, delete "*his or her*" and insert "*the governor's*"

Page 1, delete line 25

Page 2, delete lines 1 to 7

Page 2, line 8, delete "*(b)*"

Page 2, line 19, delete "*or his or her designee*"

Page 3, line 22, delete "*his or her*" and insert "*the*"

Page 3, line 23, after "*responsibilities*" insert "*provided by sections 1 to 8*"

Page 3, line 27, after "*upon*" insert "*and approved by the commissioner of administration*"

Page 4, line 5, delete "*of his or her office*"

Page 4, line 23, delete everything after the period and insert "*No money shall be expended for appearance in radio or television broadcasts by an elected public official.*"

Page 4, delete lines 24 and 25

Page 4, line 30, delete "*his or her*" and insert "*the director's*"

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

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

S.F. No. 415: A bill for an act relating to state government; regulating judicial branch salaries; amending Minnesota Statutes 1982, section 15A.083, subdivisions 1 and 2.

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 3.855, subdivision 3, is amended to read:

Subd. 3. [OTHER DUTIES.] In addition to the duties specified in subdivision 2, the commission shall perform the following:

(a) Review and approve, reject, or modify a plan for compensation, terms and conditions of employment prepared and submitted by the commissioner of employee relations pursuant to section 43A.18, subdivision 2 covering all state employees who are not represented by an exclusive bargaining representative and whose compensation is not provided for by chapter 43A or other law;

(b) Review and approve, reject or modify a plan for total compensation and terms and conditions of employment for employees of those positions identified as being managerial pursuant to section 43A.18, subdivision 3, whose salaries and benefits are not otherwise provided for in law or other plans established under chapter 43A-;

(c) *Review and approve, reject or modify recommendations for salaries submitted by the governor pursuant to section 43A.18, subdivision 5, covering agency head positions listed in section 15A.081;*

(e) (d) Continually monitor the state's civil service system as provided for in chapter 43A, rules of the commissioner of employee relations and the collective bargaining process as provided for in sections 179.61 to 179.76, as applied to state employees;

(d) (e) Research and analyze the need for improvements in those statutory sections;

(e) (f) Adopt rules not inconsistent with this section relating to the scheduling and conduct of commission business and other organizational and procedural matters;

(f) ~~Research and analyze insurance programs currently available to teachers and other public school employees in Minnesota and report to the legislature by December 1, 1982. The report shall include a summary of insurance benefit levels and costs, including health, dental, life and disability insurance; differences in the cost of providing like benefits in different regions of the state and in school districts of different sizes; and recommendations on the feasibility of providing a uniform coverage insurance program to all school districts in Minnesota; and~~

(g) Perform such other related functions as are delegated to it by the legislature.

Sec. 2. Minnesota Statutes 1982, section 3.922, subdivision 5, is amended to read:

Subd. 5. [OFFICERS, PERSONNEL.] The board shall annually elect a chairman and such other officers as it may deem necessary. The chairman shall have the authority to appoint subcommittees necessary to fulfill the duties of the board. It shall also employ, and prescribe the duties of such clerks, employees, and agents as it deems necessary. *The compensation of the executive director of the board shall be as provided by section 43A.18.* The chairman shall be an ex-officio member of the state board of human rights. The appropriations and other funds of this board are subject to the provisions of chapter 16. The board shall maintain its primary office in Bemidji and shall also maintain personnel and office space in St. Paul.

Sec. 3. Minnesota Statutes 1982, section 15A.081, subdivision 1, is amended to read:

Subdivision 1. ~~The following salaries or salary ranges are provided for the below listed employees in the executive branch of government~~ *governor shall set the salary rate within the ranges listed below for positions specified in this subdivision, upon approval of the legislative commission on employee relations and the legislature as provided by section 43A.18, subdivision 5:*

	Salary or Range		
	Effective July 1, 1979	Effective July 1, 1980	Effective July 1, 1981
Administration; department of commissioner	\$44,000	\$47,000	
Administrative hearings office chief hearing examiner	38,000	40,000	
Agriculture; department of commissioner	38,000	40,000	
Commerce; department of commissioner of banks	34,000	36,500	
commissioner of insurance	34,000	36,500	
commissioner of securities and real estate	34,000	36,500	
director of consumer services	28,000	30,000	
Community college system chancellor	44,000	46,000	
Corrections; department of commissioner	42,000	45,000	
ombudsman	33,000	35,000	
Economic security; department of commissioner	43,000	45,000	
Education; department of			

commissioner	43,000	45,000	
Energy, planning and development department of commissioner			46,000
Finance, department of commissioner	48,000	50,000	
Health, department of commissioner	47,000	49,000	
Higher education coordinating board executive director	40,000	42,000	
Housing finance agency executive director	39,000	41,000	
Human rights, department of commissioner	31,000	33,000	
Indian affairs board executive director	27,000	29,000	
Iron range resources and rehabilitation board commissioner	30,000	31,000	
Labor and industry, department of commissioner judge of the workers' compensation court of appeals	38,000	40,000	
Mediation services, bureau of director	36,000	38,000	
Natural resources, department of commissioner	44,000	47,000	
Personnel, department of commissioner	44,000	47,000	
Pollution control agency director	38,000	40,000	
Public safety, department of commissioner	38,000	41,000	
Public service, department of commissioner, public utilities commission director	34,000 34,000	36,000 36,000	
Public welfare, department of commissioner	44,000	48,000	

department of commissioner	44,000	47,000
State university system chancellor	44,000	46,000
Transportation, department of commissioner	44,000	48,000
Transportation; regulation board, board member	32,000	
Veterans affairs, department of commissioner	31,000	33,000

Salary Range
Effective
July 1, 1983
\$57,500-\$70,000

Commissioner of education;
Commissioner of finance;
Commissioner of transportation;
Commissioner of public welfare;
Chancellor, community college system;
Chancellor, state university system;
Executive secretary, state board of
investment;

\$50,000-\$60,000

Commissioner of administration;
Commissioner of agriculture;
Commissioner of corrections;
Commissioner of economic security;
Commissioner of employee relations;
Commissioner of energy, planning and
development;
Commissioner of health;
Commissioner of labor and industry;
Commissioner of natural resources;
Commissioner of revenue;
Commissioner of public safety;
Executive director, higher education
coordinating board;
Executive director, housing finance
agency;
Executive director, teacher's
retirement association;
Executive director, state retirement
system;

\$40,000-\$52,500

Commerce department
Commissioner of banks;
Commissioner of insurance;
Commissioner of securities and real
estate;
Director of consumer services;
Commissioner of human rights;
Director, department of public service;
Commissioner of veterans' affairs;

Chief hearing examiner, office of
administrative hearings;
Executive director, education
computing consortium;
Executive director, environmental
quality board;
Director, bureau of mediation services;
Director, pollution control agency;
Commissioner, public utilities commission;
Member, transportation regulation board;
Chairperson, waste management board;
Director, zoological gardens.

Sec. 4. Minnesota Statutes 1982, section 15A.081, subdivision 6, is amended to read:

Subd. 6. The following salaries are provided for the constitutional officers of the state:

	Effective July 1, 1979	Effective July 1, 1980
Governor	\$62,000	\$66,500
Attorney general	52,500	56,000
Lieutenant governor	38,000	40,000
Auditor	34,000	36,000
Secretary of state	34,000	36,000
Treasurer	34,000	36,000

	Effective July 1 1983	Effective January 1 1984	Effective July 1 1984	Effective January 1 1985
Governor	\$68,625	\$70,750	\$72,875	\$75,000
Attorney general	57,625	59,250	60,875	62,500
Auditor	39,000	42,000	45,000	48,000
Treasurer	37,500	39,000	40,500	42,000
Secretary of state	37,500	39,000	40,500	42,000
Lieutenant governor	41,500	43,000	44,500	46,000

The salaries of the chief deputy attorney general, deputy auditor, deputy secretary of state and deputy treasurer shall be 95 percent of the salaries of their respective superior constitutional officers.

Sec. 5. Minnesota Statutes 1982, section 15A.081, subdivision 7, is amended to read:

Subd. 7. The following salaries are provided for officers of metropolitan agencies:

	Effective July 1, 1979	Effective July 1, 1980
Chairman, metropolitan council		
(part-time)	\$21,000	\$22,500
(full-time)	42,000	44,500
Chairman, metropolitan airports commission	40,500	41,500
Chairman, metropolitan		

transit commission				
(part-time)	18,000		19,000	
(full-time)	36,000		38,000	
Chairman, metropolitan waste control commission	16,000		17,000	
	Effective July 1 1983	Effective January 1 1984	Effective July 1 1984	Effective January 1 1985
Chairman, metropolitan council	\$45,875	\$47,250	\$48,575	\$50,000
Chairman, metropolitan airports commission	12,625	13,750	14,875	16,000
Chairman, metropolitan transit commission	40,000	42,000	44,000	46,000
Chairman, metropolitan waste control commission	17,750	18,500	19,250	20,000

Fringe benefits for unclassified employees of the metropolitan waste control commission shall not exceed those fringe benefits received by unclassified employees of the metropolitan council.

Sec. 6. [15A.082] [COMPENSATION COUNCIL.]

Subdivision 1. [CREATION.] A compensation council is created to assist the legislature in establishing the compensation of justices of the supreme court, and judges of the court of appeals, district court, county court, county municipal court, constitutional officers and members of the Minnesota legislature.

Subd. 2. [MEMBERSHIP.] The compensation council consists of twelve members: two members of the House of Representatives appointed by the speaker of the House of Representatives; two members of the Senate appointed by the majority leader of the Senate; one member of the House of Representatives appointed by the minority leader of the House of Representatives; one member of the Senate appointed by the minority leader of the Senate; and six members appointed by and serving at the pleasure of the governor, of whom no more than four may belong to the same political party. The members appointed by the governor shall be compensated as provided in section 15.059, subdivision 3. The legislative coordinating commission shall provide the council with administrative and support services.

Subd. 3. [SUBMISSION OF PLAN.] By January 1, 1984, the compensation council shall submit to the speaker of the House of Representatives and the president of the Senate a recommended compensation plan for justices of the supreme court, and judges of the court of appeals, district court, county court, county municipal court, constitutional officers, and legislators. The salary portion of a plan shall take effect January 1, 1985, unless the plan is modified or rejected in a bill passed by the legislature prior to January 1, 1985. If the legislature does not modify or reject the plan, the legislature shall be deemed to have prescribed compensation for members of the judiciary, constitutional officers, and members of the legislature.

Subd. 4. [EXPIRATION.] The compensation council shall expire on June 30, 1984.

Sec. 7. Minnesota Statutes 1982, section 15A.083, subdivision 1, is amended to read:

Subdivision 1. [ELECTIVE JUDICIAL OFFICERS.] The following salaries shall be paid annually to the enumerated elective judicial officers of the state:

	Effective July 1, 1979 1983	Effective July 1, 1980 1984
(1) Chief justice of the supreme court	\$56,000 \$65,000	\$59,000 \$73,000
(2) Associate justice of the supreme court	\$2,500 61,000	\$6,000 68,000
(3) Chief judge of the court of appeals	61,000	68,000
(4) Judge of the court of appeals	58,000	63,000
(3) (5) District judge, judge of county court (learned in the law), probate court, and county municipal court	45,000 53,000	48,000 58,000
(4) (6) Judge of a county court (not learned in the law)	29,500 40,000	31,500

Sec. 8. Minnesota Statutes 1982, section 15A.083, subdivision 2, is amended to read:

Subd. 2. [COUNTY COURT AND COUNTY MUNICIPAL JUDGES.] (4) ~~Notwithstanding any other law to the contrary, the salary paid to a judge of a county court shall also be paid to judges of the probate court of St. Louis county and to judges of the Duluth municipal court.~~

(2) ~~Judges of the county municipal courts, and county courts in the counties of Hennepin, Ramsey, Washington, Anoka, Scott, St. Louis, Carver and Dakota shall receive a salary of \$45,000, effective July 1, 1979, and \$48,000, effective July 1, 1980.~~

(3) ~~If any judge enumerated in this subdivision of the county municipal courts, and county courts in the counties of Hennepin, Ramsey, Washington, Anoka, Scott, St. Louis, Carver, and Dakota or the county or probate court in St. Louis County dies while in office, the amount of his salary remaining unpaid for the month in which his death occurs, shall be paid to his estate.~~

Sec. 9. Minnesota Statutes 1982, section 15A.083, subdivision 4, is amended to read:

Subd. 4. [RANGES FOR OTHER JUDICIAL POSITIONS.] Salaries or salary ranges are provided for the following positions in the judicial branch of government. The appointing authority of any position for which a salary range has been provided shall fix the individual salary within the prescribed range, considering the qualifications and overall performance of the employee. Appointments to fill vacancies shall not be made above the mid-point of the salary range prescribed for the position unless the state court administrator has been consulted in advance and his approval obtained. Any

salary increase that would adjust an employee's rate of pay beyond the midpoint of the range prescribed for the position must be approved in advance by the state court administrator. *The salaries of the district administrators of the second and fourth judicial districts may be supplemented by the appropriate county board in an amount not to exceed \$10,000 per year.*

	Salary or Range		
	Effective July 1, 1979	Effective July 1, 1980	Effective July 1, 1983
Public defender			
District court			
administrator	27,000-37,500	28,500-40,000	36,000-48,000
County attorneys			
council			
executive			
director	22,000-32,000	23,500-34,000	
Board on judicial			
standards			
executive director	36,000	38,000	32,000-44,000
State court			
administrator	44,500	47,000	45,500-58,000

Sec. 10. Minnesota Statutes 1982, section 43A.17, is amended by adding a subdivision to read:

Subd. 8. [ACCUMULATED VACATION LEAVE.] The commissioner of employee relations shall not adopt or approve a compensation plan pursuant to section 43A.18, subdivisions 2, 3, and 4, for payroll periods that begin after July 1, 1983, if the compensation plan permits an employee to be paid cash for accumulated vacation leave before separation from state service.

Sec. 11. Minnesota Statutes 1982, section 43A.18, subdivision 3, is amended to read:

Subd. 3. [MANAGERIAL PLAN.] The commissioner shall identify individual positions or groups of positions in the classified and unclassified service, ~~except those listed in subdivision 4,~~ in the executive branch as being managerial. The list shall not include positions listed in subdivision 4. The commissioner shall annually submit the listing of positions to the chairperson of the legislative commission on employee relations for the commission's review and comment, and shall note on each listing the changes from the prior year.

(a) The commissioner shall periodically prepare a plan for ~~training and development, mobility,~~ total compensation and terms and conditions of employment for employees of those positions identified as being managerial and whose salaries and benefits are not otherwise provided for in law or other plans established under chapter 43A. ~~The plan shall include a career executive service to provide a system for identifying, developing and recognizing key individuals who occupy managerial positions in the classified service.~~ Before becoming effective those portions of the plan establishing compensation and terms and conditions of employment shall be reviewed and approved or modified by the legislative commission on employee relations and the legislature in the same manner as provided for the commis-

sioner's plan in subdivision 2.

(b) Incumbents of managerial positions as identified under this subdivision shall be excluded from any bargaining units under the provisions of chapter 179.

(c) The management compensation plan shall provide methods and levels of compensation for managers that will be generally comparable to those applicable to managers in other public and private employment. Provisions of the plan shall ensure that compensation within assigned salary ranges is related to level of performance. *The plan shall also provide a procedure for establishment of a salary rate for a newly created position and a new appointee to an existing position and for progression through assigned salary ranges.* The employee benefits established under the provisions of the managerial plan may be extended to agency heads whose salaries are established in section 15A.081, subdivision 1, and to constitutional officers, judges of the workers' compensation court of appeals, and tax court judges.

(d) ~~The management plan shall include total compensation for individuals appointed to the career executive service. Salaries established under this plan shall be limited to 120 percent of the maximum of the salary range for the employee's job classification in the classified service.~~

(e) ~~No rights or tenure shall attach to a career executive service assignment. An incumbent in the career executive service may be removed from the career executive service by the appointing authority, provided the action is made without regard to sex, race, religion, color, creed, marital status, age, national origin, disability, status with regard to public assistance or political affiliation. An employee removed from the career executive service shall receive compensation at the level formerly received plus any increases the employee would have received had the employee not been appointed to the career executive service.~~

An employee who is in the career executive service on July 1, 1981 and whose position, as a result of Laws 1981, Chapter 210, is no longer eligible for inclusion in the career executive service is nonetheless eligible to remain a member of the career executive service in accordance with the provisions of this section so long as the employee remains in that position.

Sec. 12. Minnesota Statutes 1982, section 43A.18, subdivision 4, is amended to read:

Subd. 4. [PLANS NOT ESTABLISHED BUT APPROVED BY COMMISSIONER.] Notwithstanding any other law to the contrary, total compensation for employees listed in this subdivision shall be set by appointing authorities subject to the following limitations:

(a) Total compensation paid pursuant to this subdivision shall be within the limits of compensation plans which shall have been approved by the commissioner before becoming effective;

(b) Total compensation for employees who are not covered by a collective bargaining agreement in the offices of the governor, attorney general, secretary of state, state auditor and state treasurer shall be determined by the governor, attorney general, secretary of state, state auditor and state treasurer, respectively;

(c) Total compensation for unclassified employees of the state board of investment shall be determined by the state board of investment;

(d) (c) Total compensation for unclassified positions pursuant to section

43A.08, subdivision 1, clause (h) and in the higher education coordinating board shall be determined by the state university board, the state board for community colleges, and the higher education coordinating board, respectively; and

(e) (d) Total compensation for classified hearing examiners in the office of administrative hearings shall be determined by the chief hearing examiner.

Sec. 13. Minnesota Statutes 1982, section 43A.18, subdivision 5, is amended to read:

Subd. 5. [GOVERNOR TO ~~SET~~ RECOMMEND CERTAIN SALARIES.] The governor shall, on or before ~~January 31~~ July 1 of each odd numbered year, submit to the legislative commission on employee relations recommendations for salaries *within the salary range* for the positions listed in ~~sections 15A.081 and 15A.083~~. The governor may also propose additions or deletions of positions from those listed.

(a) Before submitting the recommendations, the governor shall consult with the commissioner of administration, the commissioner of finance, and the commissioner of employee relations concerning the recommendations. Before submitting recommendations for an employee in the office of a constitutional officer, the governor shall consult with the constitutional officer concerning the recommendations and shall give due consideration to the advice of the officer;

(b) ~~Except for positions for which salary ranges have been established, the recommendations shall contain a specific salary for each position listed in sections 15A.081 and 15A.083. The governor shall determine only a fixed salary for the positions of the constitutional officers, the judges of the workers' compensation court of appeals and the commissioner of public service;~~

(e) (b) In making recommendations, the governor shall consider only those criteria established in subdivision 7 8 and shall not take into account performance of individual incumbents. The governor shall establish an objective system for quantifying knowledge, abilities, duties, responsibilities and accountabilities and in determining recommendations rate each position by this system; ~~and~~

(c) *Before the governor's recommended salaries shall take effect, the recommendations shall be reviewed and approved, rejected or modified by the legislative commission on employee relations and the legislature in the same manner as provided for the commissioner's plan in subdivision 2. The governor may also at any time propose changes in the salary rate of any positions covered by this subdivision, which shall be submitted and approved in the same manner as provided in this subdivision; and*

(d) The initial salary of a head of an agency hereafter established whose salary is not specifically prescribed by law shall be fixed by the governor, after consultation with the commissioner, whose recommendation shall be advisory only, in an amount comparable to the salary of an agency head having similar duties and responsibilities.

Sec. 14. Minnesota Statutes 1982, section 43A.21, is amended by adding a subdivision to read:

Subd. 5. [CAREER EXECUTIVE SERVICE.] (a) *The commissioner shall designate persons in the classified service as eligible for inclusion in the career executive service. The positions shall include those which carry basic responsibilities for high level professional or scientific competence, policy*

determination, leadership, or the internal management and administration of a department or other major unit.

(b) The commissioner shall prepare a plan for training and development, and mobility of career executive service members consistent with applicable provisions of collective bargaining agreements. The plan need not be adopted in accordance with the rulemaking provisions of chapter 14. The career executive service plan shall not contain additional compensation for members.

(c) No rights or tenure shall attach to a career executive service assignment. An incumbent in the career executive service may be removed from the service by the appointing authority, provided the action is made without regard to sex, race, religion, color, creed, marital status, age, national origin, disability, or political affiliation.

(d) An employee in career executive service on July 1, 1983, who is receiving compensation at a level beyond the maximum of the assigned salary range shall continue to receive that rate of pay until the rate is within the assigned salary range.

Sec. 15. Minnesota Statutes 1982, section 105.71, subdivision 2, is amended to read:

Subd. 2. The state board may employ such technical and professional personnel and such other agents and employees, permanent or temporary, as it may require, and shall determine their qualifications; *and duties; and Compensation of employees shall be determined pursuant to chapter 43A.* It shall have authority to prescribe the powers and duties of its officers and employees.

Upon request of the board for the purpose of carrying out any of its functions, the supervising officer of any state agency, or any state institution of learning, shall, insofar as it may be possible under available appropriations, and having due regard to the needs of the agency to which the request is directed, assign or detail to the state board from the staff or personnel of the agency or institution of learning, and make such special reports, surveys or studies as the state board may request.

Sec. 16. Minnesota Statutes 1982, section 136.034, is amended to read:

136.034 [STATE UNIVERSITY SYSTEM; EXECUTIVE SALARIES.]

Notwithstanding the provisions of ~~chapters 15A and 43~~ *chapter 43A*, the state university board may establish executive salaries within the state university system, *except for the salary of the chancellor*, in accordance with a management compensation plan based on the level of responsibility and authority of various positions as well as appropriate market comparisons with similar positions in comparable public colleges and universities in the midwest.

The salary of the chancellor, *which shall be established pursuant to section 15A.081, subdivision 1*, is the upper limit of compensation for all other positions in the state university system.

The state university board shall survey compensation levels in comparable public colleges and universities in the midwest during the 1979-81 biennium and report necessary adjustments in the above level of compensation to the governor and legislature as part of its 1981-83 biennial budget request.

Sec. 17. Minnesota Statutes 1982, section 136A.03, is amended to read:

136A.03 [EXECUTIVE OFFICERS; EMPLOYEES.]

The higher education coordinating board may appoint an executive secretary or director as its principal executive officer, and such other officers and employees as it may deem necessary to carry out its duties. The executive secretary or director shall possess such powers and perform such duties as are delegated to him and shall serve in the unclassified service of the state civil service. *The salary of the executive director shall be established pursuant to section 15A.081, subdivision 1.* He shall be a person qualified by training and ability in the field of higher education or in educational administration. The board may also appoint other officers and professional employees who shall serve in the unclassified service of the state civil service and fix the salaries thereof which shall be commensurate with salaries in the classified service; ~~and shall also fix the salary of its principal executive officer.~~ All other employees shall be in the classified civil service.

An officer or professional employee in the unclassified service as provided in this section is a person who has studied higher education or a related field at the graduate level or has similar experience and who is qualified for a career in some aspect of higher education and for activities in keeping with the planning and administrative responsibilities of the board and who is appointed to assume responsibility for administration of educational programs or research in matters of higher education.

Sec. 18. Minnesota Statutes 1982, section 179.741, subdivision 1, is amended to read:

Subdivision 1. [STATE EMPLOYEES.] Subject to the provisions of section 179.742, subdivision 5, all appropriate units of state employees certified as of April 25, 1980 are abolished. The following shall be the appropriate units of executive branch state employees for the purposes of sections 179.61 to 179.76. All units shall exclude employees excluded by section 179.74, subdivision 4 and supervisory employees shall only be assigned to units 12 and 16. Unclassified employees, unless otherwise excluded, are included within the units which include the classifications to which they are assigned for purposes of compensation. No additional units of executive branch state employees shall be recognized for the purpose of meeting and negotiating.

(1) Law enforcement unit. This unit shall consist of all sworn state patrol personnel, all uniformed conservation officers, and all criminal apprehension agents.

(2) Craft, maintenance, and labor unit. This unit shall consist of those classifications assigned to this unit in the unit composition schedule adopted by the legislative commission on employee relations on March 24, 1980, as amended through ~~June 16, 1981~~ May 4, 1982.

(3) Service unit. This unit shall consist of those classifications assigned to this unit in the unit composition schedule adopted by the legislative commission on employee relations on March 24, 1980, as amended through ~~June 16, 1981~~ May 4, 1982.

(4) Health care non-professional unit. This unit shall consist of those

classifications assigned to this unit in the unit composition schedule adopted by the legislative commission on employee relations on March 24, 1980, as amended through ~~June 16, 1981~~ *May 4, 1982*.

(5) Health care professional unit. This unit shall consist of all positions which are required to be filled by registered nurses.

(6) Clerical and office unit. This unit shall consist of those classifications assigned to this unit in the unit composition schedule adopted by the legislative commission on employee relations on March 24, 1980, as amended through ~~June 16, 1981~~ *May 4, 1982*.

(7) Technical unit. This unit shall consist of those classifications assigned to this unit in the unit composition schedule adopted by the legislative commission on employee relations on March 24, 1980, as amended through ~~June 16, 1981~~ *May 4, 1982*.

(8) Correctional Guards unit. This unit shall consist of those classifications assigned to this unit in the unit composition schedule adopted by the legislative commission on employee relations on March 24, 1980, as amended through ~~June 16, 1981~~ *May 4, 1982*.

(9) State university instructional unit. This unit shall consist of those positions assigned to this unit in the unit composition schedule adopted by the legislative commission on employee relations on March 24, 1980, as amended through ~~June 16, 1981~~ *May 4, 1982*.

(10) Community college instructional unit. This unit shall consist of those positions assigned to this unit in the unit composition schedule adopted by the legislative commission on employee relations on March 24, 1980, as amended through ~~June 16, 1981~~ *May 4, 1982*.

(11) State university administrative unit. This unit shall consist of those positions assigned to this unit in the unit composition schedule adopted by the legislative commission on employee relations on March 24, 1980, as amended through ~~June 16, 1981~~ *May 4, 1982*.

(12) Professional engineering supervisory unit. This unit shall consist of those classifications assigned to this unit in the unit composition schedule adopted by the legislative commission on employee relations on March 24, 1980, as amended through ~~June 16, 1981~~ *May 4, 1982*.

(13) Health treatment unit. This unit shall consist of those classifications assigned to this unit in the unit composition schedule adopted by the legislative commission on employee relations on March 24, 1980, as amended through ~~June 16, 1981~~ *May 4, 1982*.

(14) General professional unit. This unit shall consist of those classifications assigned to this unit in the unit composition schedule adopted by the legislative commission on employee relations on March 24, 1980, as amended through ~~June 16, 1981~~ *May 4, 1982*.

(15) Professional state residential instructional unit. This unit shall consist of those classifications assigned to this unit in the unit composition schedule adopted by the legislative commission on employee relations on March 24, 1980, as amended through ~~June 16, 1981~~ *May 4, 1982*.

(16) Supervisory employees unit. This unit shall consist of those positions

assigned to this unit in the unit composition schedule adopted by the legislative commission on employee relations on March 24, 1980, as amended through ~~June 16, 1981~~ May 4, 1982.

Sec. 19. Minnesota Statutes 1982, section 244.09, subdivision 10, is amended to read:

Subd. 10. The commission may select and employ a research director who shall perform the duties the commission directs, including the hiring of any clerical help and other employees as the commission shall approve. The research director and other staff shall be in the unclassified service of the state and their ~~salary compensation~~ shall be established ~~by the commission pursuant to chapter 43A~~. They shall be reimbursed for the expenses necessarily incurred in the performance of their official duties in the same manner as other state employees.

Sec. 20. Minnesota Statutes 1982, section 256.482, subdivision 2, is amended to read:

Subd. 2. [EXECUTIVE DIRECTOR; STAFF.] The council may select an executive director of the council by a vote of a majority of all council members. The executive director shall be in the unclassified service of the state and shall act as secretary to the council and shall perform such other duties as the council may require of him. The council shall approve employment of such clerical help and other employees as are necessary, upon the recommendation of the executive director. ~~Salaries~~ The salary for the executive director and staff shall be established ~~in the manner prescribed by chapter 45A, and pursuant to Chapter 43A~~. The executive director shall be reimbursed for all actual and necessary expenses incurred as a result of his council responsibilities.

Sec. 21. Minnesota Statutes 1982, section 298.22, subdivision 1, is amended to read:

Subdivision 1. (1) The office of commissioner of iron range resources and rehabilitation is created. The commissioner shall be appointed by the governor under the provisions of section 15.06.

(2) The commissioner may hold such other positions or appointments as are not incompatible with his duties as commissioner of iron range resources and rehabilitation. The commissioner may appoint a deputy commissioner. All expenses of the commissioner, including the payment of such assistance as may be necessary, shall be paid out of the amounts appropriated by section 298.28, subdivision 1. *The compensation of the commissioner shall be set by the legislative coordinating commission.*

(3) When the commissioner shall determine that distress and unemployment exists or may exist in the future in any county by reason of the removal of natural resources or a possibly limited use thereof in the future and the decrease in employment resulting therefrom, now or hereafter, he may use such amounts of the appropriation made to him in section 298.28, subdivision 1 as he may determine to be necessary and proper in the development of the remaining resources of said county and in the vocational training and rehabilitation of its residents. For the purposes of this section, "development of remaining resources" includes, but is not limited to, the promotion of tourism.

Sec. 22. Minnesota Statutes 1982, section 326.241, subdivision 2, is amended to read:

Subd. 2. [POWERS.] The board shall have power to:

- (1) Elect its own officers;
- (2) Engage and fix the compensation of ~~such officers,~~ inspectors, and hire employees ~~as it may see fit.~~ *The salary of the executive secretary shall be established pursuant to chapter 43A.* All agents and employees other than contract inspectors shall be in the classified service ~~and shall be compensated pursuant to chapter 43A.~~ All inspectors shall hold licenses as master or journeyman electricians under section 326.242, subdivision 1(1) or subdivision 2(1), and shall give bond in an amount fixed by the board, conditioned upon the faithful performance of their duties.
- (3) To pay such other expenses as it may deem necessary in the performance of its duties, including rent, supplies, and such like.
- (4) To enforce the provisions of Laws 1967, Chapter 602, and provide, upon request, such additional voluntary inspections and reviews as it may deem appropriate.
- (5) To issue, renew, refuse to renew, suspend and revoke licenses provided for in Laws 1967, Chapter 602.
- (6) To adopt reasonable rules to carry out its duties under Laws 1967, Chapter 602 and to provide for the amount and collection of fees for inspection and other services. All rules shall be adopted in accordance with chapter 14.

Sec. 23. Minnesota Statutes 1982, section 352.03, subdivision 4, is amended to read:

Subd. 4. [DUTIES AND POWERS OF BOARD OF DIRECTORS.] It is the duty of the board and it has power to:

- (1) Elect a chairman;
- (2) Appoint an executive director;
- ~~(3) Fix the compensation of the executive director and the assistant executive director;~~
- (4) (3) Establish rules and regulations for the administration of the provisions of chapters 3A, 352, 352B, 352C, 352D and 490 and transaction of the business of the system, all subject to the limitations of said chapter and the law;
- ~~(5)~~ (4) Consider and dispose of, or take such other action as the board of directors deems appropriate denials of applications for annuities or disability benefits under this chapter, and complaints of employees and others pertaining to the retirement of employees and the operation of the system;
- ~~(6)~~ (5) Advise the director on any matters relating to the system and the carrying out of the functions and purposes of said chapter, which advice shall be controlling; and

The director and assistant director shall be in the unclassified service but

appointees may be selected from civil service lists if it is desired to do so. *The salary of the executive director shall be as provided by section 15A.081, subdivision 1. The salary of the assistant director shall be set in accordance with section 43A.18, subdivision 3.*

Sec. 24. Minnesota Statutes 1982, section 354.06, subdivision 2, is amended to read:

Subd. 2. The board shall annually elect one of its members as president. It shall elect an executive director, ~~and fix his salary and the~~ *whose salary shall be as provided by section 15A.081, subdivision 1. The salary of the assistant executive director who shall be in the unclassified service, shall be set in accordance with section 43A.18, subdivision 3.* The executive director shall serve during the pleasure of the board and be the executive officer of the board, with such duties as the board shall prescribe. The board shall employ all other clerks and employees necessary to properly administer the fund. The cost and expense of administering the provisions of this chapter shall be paid by the fund. The executive director shall be appointed by the board on the basis of fitness, experience in the retirement field and leadership ability. The executive director shall have had at least five years of experience on the administrative staff of a major retirement system.

Sec. 25. Minnesota Statutes 1982, section 422A.03, subdivision 2, is amended to read:

Subd. 2. The executive director may be removed by a four-sevenths vote of all members of the board at a meeting called for that purpose. Before exercising the power of removal, 15 days written notice shall be given to the executive director setting forth the cause for removal and stating the time and place where the charges will be heard. The hearing shall be open to the public. Other employees under the supervision of the board and employees appointed hereafter shall be subject to applicable civil service laws and rules of the city unless the board determines that they should be unclassified. The compensation *and fringe benefits* of the executive director and the other employees under the supervision of the board shall be fixed by the board, *subject to the approval of the city council.*

Sec. 26. Minnesota Statutes 1982, section 484.68, subdivision 6, is amended to read:

Subd. 6. [SALARY.] The salary of the district administrator shall be set by the state court administrator within the limits provided in section 15A.083, and shall be paid by the state. ~~The salaries of the district administrators of the second and fourth judicial districts may be supplemented by the appropriate county board by an amount not to exceed \$10,000 per year.~~ If an administrator dies, the amount of his salary remaining unpaid for the month in which his death occurs shall be paid to his estate.

Sec. 27. Laws 1980, chapter 564, article XII, section 1, subdivision 3, is amended to read:

Subd. 3. [WASTE MANAGEMENT BOARD.] 15,718,000
This appropriation is available for the
following purposes:

(a) General Operations and Management.

718,000

Approved Complement - 14. These positions are in the unclassified service and their continuation is dependent upon the availability of money from appropriations in this subdivision. When these appropriations have been expended the positions shall be cancelled and the approved complement reduced accordingly. The annual salary of the full-time chairperson of the board shall be ~~\$45,000~~ established pursuant to section 15A.081, subdivision 1.

(b) Acquisition of Sites and Buffer Areas for Hazardous Waste Facilities.

6,200,000

This appropriation is from the state waste management fund, to be spent pursuant to article II, section 3, subdivision 4. Up to \$1,200,000 is available for expenditure before June 30, 1981 for costs of staff and independent professional services needed for the selection and acquisition of sites.

(c) Waste Processing Facility Demonstration Program.

8,800,000

This appropriation is from the state waste management fund, to be spent pursuant to article VI, sections 4 and 6. Up to 5 percent is available for administration and technical and professional services.

Sec. 28. [HIGHER EDUCATION SALARIES.]

Notwithstanding Laws 1981, chapter 359, sections 4 and 5, the salaries of the chancellor of the state university system and the chancellor of the community college system shall be established pursuant to section 15A.081, subdivision 1.

Sec. 29. [STATE EMPLOYEE RATIFICATION.]

Subdivision 1. [NEGOTIATED SUPPLEMENTAL AGREEMENTS.] The supplemental agreements negotiated between the state and the exclusive representatives of state bargaining units 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 12, 14, and 16, providing for early retirement incentives, which were given interim approval by the legislative commission on employee relations after adjournment of the 1982 legislature, are ratified.

Subd. 2. [COMMISSIONER'S PLAN.] The terms of the commissioner of employee relations' plan for unrepresented state employees, as amended and given interim approval by the legislative commission on employee relations after adjournment of the 1982 legislature, are ratified.

Sec. 30. [UNIVERSITY RATIFICATION.]

Subdivision 1. [EARLY RETIREMENT.] The supplemental labor agreements and other compensation plans approved by the board of regents, providing early retirement incentives for university of Minnesota employees, as approved by the legislative commission on employee relations after adjournment of the 1982 legislature, are ratified.

Subd. 2. [UNREPRESENTED EMPLOYEES SALARY SUPPLEMENTS.] The salary supplements provided in the university of Minnesota regents' compensation plans, as approved by the legislative commission on employee relations after adjournment of the 1982 legislature, are approved for the following groups of unrepresented employees: Twin Cities instructional, professional, supervisory, managerial, confidential nursing, clerical and office, technical, non-instructional, outstate instructional, and graduate assistants.

Subd. 3. [DULUTH AND WASECA.] The salary supplements provided in the labor agreement between the regents of the university of Minnesota and the university education association, representing the organized faculty at the Duluth and Waseca campuses, is ratified, as approved by the legislative commission on employee relations on January 31, 1983.

Sec. 31. [REPEALER.] Minnesota Statutes 1982, section 136A.035, is repealed.

Sec. 32. [EFFECTIVE DATE.]

Sections 13, 18, 29, and 30 are effective the day following final enactment. All other sections are effective July 1, 1983."

Delete the title and insert:

"A bill for an act relating to state government; providing for salaries for constitutional officers, agency heads, metropolitan agency heads, and certain judicial positions; establishing a compensation council; limiting local government salaries; prohibiting cash payments for accumulated vacation pay; expanding the authority of the commissioner of employee relations to set salaries; requiring the governor to recommend certain salaries; removing salary setting authority of certain state agencies; removing additional compensation for the career executive service; requiring approval of the Minneapolis city council of compensation and benefits of employees of the Minneapolis employees retirement fund board; ratifying state and University of Minnesota labor agreements, compensation plans, and plans for early retirement incentives; amending Minnesota Statutes 1982, sections 3.855, subdivision 3; 3.922, subdivision 5; 15A.081, subdivisions 1, 6, and 7; 15A.083, subdivisions 1, 2, and 4; 43A.17, by adding a subdivision; 43A.18, subdivisions 3, 4, and 5; 43A.21, by adding a subdivision; 105.71, subdivision 2; 136.034; 136A.03; 179.741, subdivision 1; 244.09, subdivision 10; 256.482, subdivision 2; 298.22, subdivision 1; 326.241, subdivision 2; 352.03, subdivision 4; 354.06, subdivision 2; 422A.03, subdivision 2; 484.68, subdivision 6; and Laws 1980, chapter 564, article XII, section 1, subdivision 3; proposing new law coded in Minnesota Statutes, chapter 15A; repealing Minnesota Statutes 1982, section 136A.035."

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

H.F. No. 114: A bill for an act relating to crimes; prohibiting promotion of minors to engage in sexual performance; prohibiting dissemination and possession of works depicting minors in sexual performance; providing penalties; amending Minnesota Statutes 1982, sections 609.342; 609.343; 609.344; 609.345; 609.364, subdivision 2; 609.3641, subdivision 2; 609.3642, subdivision 2; 609.3643, subdivision 2; 609.3644, subdivision 2; 617.241; 617.246; repealing Minnesota Statutes 1982, section 617.247.

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

Page 5, delete section 5

Pages 6 to 10, delete sections 10 to 13 and insert:

“Sec. 9. Minnesota Statutes 1982, section 617.241, is amended to read:

617.241 [OBSCENE MATERIALS; DISTRIBUTION PROHIBITED; PENALTY.]

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

(a) “Obscene” means that the work, taken as a whole, appeals to the prurient interest in sex of the average person, which portrays patently offensive sexual conduct and which, taken as a whole, does not have serious literary, artistic, political, or scientific value. In order to determine that a work is obscene, the trier of fact must find: (i) that the average person, applying contemporary community standards would find that the work, taken as a whole, appeals to the prurient interest in sex of the average person; (ii) that the work depicts patently offensive sexual conduct specifically defined by clause (b); and (iii) that the work, taken as a whole, lacks serious literary, artistic, political, or scientific value.

(b) “Patently offensive sexual conduct” includes any of the following depicted sexual conduct:

(i) An act of sexual intercourse, normal or perverted, actual or simulated, including genital-genital, anal-genital, or oral-genital intercourse, whether between human beings or between a human being and an animal.

(ii) Sadoomasochistic abuse, meaning flagellation or torture by or upon a person who is nude or clad in undergarments or in a revealing costume or the condition of being fettered, bound, or otherwise physically restricted on the part of one so clothed.

(iii) Masturbation or lewd exhibitions of the genitals including any explicit, close-up representation of a human genital organ.

(iv) Physical contact or simulated physical contact with the clothed or unclothed pubic areas or buttocks of a human male or female, or the breasts of the female, whether alone or between members of the same or opposite sex or between humans and animals in an act of apparent sexual stimulation or gratification.

(c) “Community” means the political subdivision from which persons properly qualified to serve as jurors in a civil proceeding are chosen.

Subd. 2. [CRIME.] It is unlawful for any person knowingly to exhibit,

sell, print, offer to sell, give away, circulate, publish, distribute, or attempt to distribute any obscene book, magazine, pamphlet, paper, writing, card, advertisement, circular, print, picture, photograph, motion picture film, play, image, instrument, statue, drawing, or other article which is obscene. ~~"Obscene" for the purpose of this section, is defined as follows: Whether to the average person, applying contemporary community standards, the dominant theme of the material taken as a whole appeals to prurient interests.~~

Subd. 3. [PENALTY.] Any person violating any provision of this section shall be fined up to \$5,000 for the first offense and up to \$10,000 for the second or a subsequent offense.

Sec. 10. Minnesota Statutes 1982, section 617.243, is amended to read:

617.243 [INDECENT LITERATURE, DISTRIBUTION.]

Subdivision 1. [PROHIBITED ACTIVITY.] ~~Any~~ *No* person, copartnership or corporation shall ~~not~~, as a condition to a sale or delivery for resale of any paper, magazine, book, comic, periodical or publication, require that the purchaser or consignee receive for resale any other article, book, comic or other publication reasonably believed by the purchaser or consignee to be obscene *as defined in section 617.241.*

Subd. 2. [PENALTY.] ~~The~~ A violation of ~~the provisions of~~ subdivision 1 is a gross misdemeanor.

Sec. 11. Minnesota Statutes 1982, section 617.246, is amended to read:

617.246 ~~[PROHIBITING PROMOTION USE OF MINORS TO ENGAGE IN OBSCENE WORKS SEXUAL PERFORMANCE PROHIBITED.]~~

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

(b) "Minor" means any person ~~who has not attained his or her 18th birthday under the age of 18.~~

(c) "Promote" means to produce, direct, publish, manufacture, issue, or advertise.

(d) "Sexual performance" means any play, dance or other exhibition presented before an audience or for purposes of visual or mechanical reproduction which depicts ~~patently offensive~~ sexual conduct as defined by clause (f) (e).

(e) ~~"An obscene work" is a picture, a film, photograph, negative, slide, drawing or similar visual representation depicting a minor, which taken as a whole appeals to pedophiles or to the prurient interest in sex of the average person, which portrays patently offensive sexual conduct and which, taken as a whole, does not have serious literary, artistic, political or scientific value. In determining whether or not a work is an obscene work the trier of the fact must find: (i) that the average person, applying contemporary community standards would find that the work, taken as a whole appeals to pedophiles or to the prurient interest in sex of the average person; and (ii) that the work depicts patently offensive sexual conduct specifically defined by clause (f); and (iii) that the work, taken as a whole, lacks serious literary, artistic, political or scientific value.~~

(f) ~~"Patently offensive Sexual conduct" includes means~~ any of the follow-

ing ~~depicted sexual conduct~~ if the depiction involves a minor:

(i) An act of sexual intercourse, normal or perverted, actual or simulated, including genital-genital, anal-genital, or oral-genital intercourse, whether between human beings or between a human being and an animal.

(ii) Sadoomasochistic abuse, meaning flagellation ~~or~~, torture, or similar demeaning acts inflicted by or upon a person who is nude or clad in undergarments or in a revealing costume, or the condition of being fettered, bound or otherwise physically restrained on the part of one so clothed.

(iii) Masturbation or lewd exhibitions of the genitals ~~including any explicit, close up representation of a human genital organ.~~

(iv) Physical contact or simulated physical contact with the clothed or unclothed pubic areas or buttocks of a human male or female, or the breasts of the female, whether alone or between members of the same or opposite sex or between humans and animals in an act of apparent sexual stimulation or gratification.

(f) "Work" means an original or reproduction of a picture, film, photograph, negative, slide, videotape, videodisc, or drawing.

Subd. 2. [USE OF MINOR.] It is unlawful for a person to promote, employ, use or permit a minor to engage in or assist others to engage in posing or modeling alone or with others in any sexual performance ~~for purposes of preparing an obscene work if the person knows or has reason to know that the conduct intended is a sexual performance.~~

~~A violation of this subdivision is a felony. Any person who violates this subdivision is guilty of a felony and may be sentenced to imprisonment for not more than five years or to payment of a fine of not more than \$5,000 for the first offense and \$10,000 for a second or subsequent offense, or both.~~

Subd. 3. [OPERATION OR OWNERSHIP OF BUSINESS.] A person who owns or operates a business in which ~~an obscene~~ a work depicting a minor in a sexual performance, as defined in this section, is disseminated, and who knows the content and character of the ~~obscene~~ work disseminated, is guilty of a felony ~~and may be sentenced to imprisonment for not more than five years, or to payment of a fine of not more than \$5,000 for the first offense and \$10,000 for a second or subsequent offense, or both.~~

Subd. 4. [DISSEMINATION.] A person who, knowing or with reason to know its content and character, disseminates for profit ~~an obscene~~ a work depicting a minor in sexual performance, as defined in this section, is guilty of a felony ~~and may be sentenced to imprisonment for not more than five years, or to payment of a fine of not more than \$5,000 for the first offense and \$10,000 for a second or subsequent offense, or both.~~

Subd. 5. [CONSENT; MISTAKE.] Neither consent to sexual performance by a minor or his parent, guardian, or custodian nor mistake as to the minor's age is a defense to a charge of violation of this section.

Sec. 12. Minnesota Statutes 1982, section 617.247, is amended to read:

617.247 [POSSESSION OF ~~OBSCENE~~ PICTORIAL REPRESENTATIONS OF MINORS.]

Subdivision 1. [POLICY; PURPOSE.] It is the policy of the legislature in

enacting this section to protect minors from the physical and psychological damage caused by their being used in ~~obscene~~ photographic representations of *sexual conduct which involves minors*. It is therefore the intent of the legislature to penalize possession of ~~obscene~~ photographic representations of *sexual conduct which involve minors* in order to protect the identity of minors who are victimized by involvement in ~~obscene~~ the photographic representations, and to protect minors from future involvement in ~~obscene~~ photographic representations of *sexual conduct*.

Subd. 2. [DEFINITIONS.] For purposes of this section, the following terms have the meanings given them:

(a) "Photographic representation" means an original or reproduction of a film, videotape, *videodisc*, photograph, negative, or slide.

(b) "Obscene" means that the work, taken as a whole, appeals to pedophiles or to the prurient interest in sex of the average person, which portrays patently offensive sexual conduct and which, taken as a whole, does not have serious literary, artistic, political, or scientific value. In order to determine that a work is ~~obscene~~, the trier of fact must find: (i) that the average person, applying contemporary community standards would find that the work, taken as a whole, appeals to pedophiles or to the prurient interest in sex of the average person; and (ii) that the work depicts patently offensive sexual conduct specifically defined by clause (c); and (iii) that the work, taken as a whole, lacks serious literary, artistic, political, or scientific value.

(c) "Patently offensive Sexual conduct" includes any of *has* the following depicted sexual conduct if the depiction involves a minor:

(i) An act of sexual intercourse, normal or perverted, actual or simulated, including genital-genital, anal-genital, or oral-genital intercourse, whether between human beings or between a human being and an animal *meaning given to it in section 617.246*.

(ii) Sadomasochistic abuse, meaning flagellation or torture by or upon a person who is nude or clad in undergarments or in a revealing costume or the condition of being fettered, bound, or otherwise physically restricted on the part of one so clothed.

(iii) Masturbation or lewd exhibitions of the genitals including any explicit, close-up representation of a human genital organ.

(iv) Physical contact or simulated physical contact with the clothed or unclothed pubic areas or buttocks of a human male or female, or the breasts of the female, whether alone or between members of the same or opposite sex or between humans and animals in an act of apparent sexual stimulation or gratification.

Subd. 3. [DISSEMINATION PROHIBITED.] A person who disseminates an ~~obscene~~ a photographic representation of *sexual conduct which involves* a minor, knowing or with reason to know its content and character and that an actual minor is an actor or photographic subject in it, is guilty of a gross misdemeanor.

Subd. 4. [POSSESSION PROHIBITED.] A person who has in possession an ~~obscene~~ a photographic representation of *sexual conduct which involves* a minor, knowing or with reason to know its content and character and that an

actual minor is an actor or photographic subject in it, is guilty of a gross misdemeanor.

Subd. 5. [EXCEPTION.] This section does not apply to law enforcement officers, court personnel, licensed physicians and psychologists, and attorneys in the performance of their official duties the performance of official duties by peace officers, court personnel, or attorneys, nor to licensed physicians, psychologists, or social workers or persons acting at the direction of a licensed physician, psychologist, or social worker in the course of a bona fide treatment or professional education program.

Subd. 6. [CONSENT.] Consent to sexual performance by a minor or his parent, guardian, or custodian is not a defense to a charge of violation of this section.

Subd. 7. [SECOND OFFENSE.] If a person is convicted of a second or subsequent violation of this section within 15 years of the prior conviction, the court shall order a mental examination of the person. The examiner shall report to the court whether treatment of the person is necessary.

Sec. 13. Minnesota Statutes 1982, section 617.298, is amended to read:

617.298 [OBSCENE MOTION PICTURES AT DRIVE-IN THEATRES; DEFINITIONS.]

Subdivision 1. [DEFINITIONS.] For the purposes of this section and section 617.299, the terms defined in this section have the meanings given them.

Subd. 2. [OBSCENE.] A motion picture is "Obscene" if:

(a) Considered as a whole, by an average person applying contemporary community standards, it is found to appeal predominantly to the prurient interest, that is, a shameful or morbid interest in nudity, sex or excretion; and

(b) Taken as a whole, it lacks serious literary, artistic, political, or scientific value; and

(c) It depicts or describes in a patently offensive way sexual conduct.

For the purpose of this subdivision, "community" means the political subdivision from which persons properly qualified to serve as jurors in a civil proceeding are chosen has the meaning given to it in section 617.241.

Subd. 3. [NUDITY.] "Nudity" means the showing of the human male or female genitals, pubic areas, or buttocks with less than a fully opaque covering, or the showing of an uncovered, or less than opaquely covered, female breast below a point immediately above the top of the nipple (, or the breast with the nipple and immediately adjacent area only covered).

Subd. 4. "Sexual conduct" means any of the following depicted sexual conduct:

(a) Sadomasochistic abuse, meaning flagellation or torture by or upon a person who is nude, or clad in undergarments, a mask or bizarre costume, or the condition of being bound, fettered, or otherwise physically restrained on the part of one who is so clothed as an act of sexual stimulation or gratification;

(b) Human defecation or urination;

(c) ~~The condition of human male or female genitals, or the breasts of the female when in a state of sexual stimulation, or the sensual experience of humans in engaging in or witnessing sexual conduct or nudity; or~~

(d) ~~Human masturbation, sexual intercourse or sodomy, actual or simulated, or any touching of the genitals, pubic areas or buttocks of a human being, whether alone or between members of the same or opposite sex or between humans or animals in an act of apparent sexual stimulation or gratification.~~

Sec. 14. [REPEALER.]

Minnesota Statutes 1982, section 617.298, subdivision 4, is repealed.

Sec. 15. [EFFECTIVE DATE.]

The provisions of this act are effective the day after final enactment, and apply to crimes committed on or after that date."

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 3, after the semicolon, insert "defining terms;"

Page 1, line 7, delete "609.364, subdivision 2;"

Page 1, line 9, after "617.241" insert "; 617.243"

Page 1, line 10, after "617.246" insert "; 617.247; and 617.298"

Page 1, line 11, delete "617.247" and insert "617.298, subdivision 4"

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. 557: A bill for an act relating to costs and attorney fees; providing for recovery of costs and attorney fees by prevailing parties in civil actions against the state and administrative contested cases; proposing new law coded in Minnesota Statutes, chapters 3 and 14.

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

Delete everything after the enacting clause and insert:

"Section 1. [14.625] [AWARD OF COSTS.]

Except in a case for the purpose of establishing or fixing a rate or for granting, renewing, suspending, or revoking a license, hearing examiners in contested cases, and courts in subsequent judicial review, may award costs, attorney fees, and witness fees under the circumstances set forth in section 549.21.

Sec. 2. Minnesota Statutes 1982, section 549.21, is amended to read:

549.21 [REIMBURSEMENT FOR CERTAIN COSTS IN CIVIL ACTIONS.]

Upon motion of a party, the court in its discretion may award to that party costs, disbursements, reasonable attorney fees, and witness fees if the party

or attorney against whom costs, disbursements, reasonable attorney and witness fees are charged acted in bad faith; asserted a claim or defense ~~knowing it to be that is frivolous and that is costly to the other party~~; asserted an unfounded position solely to delay the ordinary course of the proceedings or to harass; or committed a fraud upon the court. ~~To qualify for an award under this section, a party shall give timely notice of intent to claim an award.~~ An award under this section shall be without prejudice and as an alternative to any claim for sanctions that may be asserted under the rules of civil procedure. Nothing herein shall authorize the award of costs, disbursements, or fees against a party or attorney advancing a claim or defense unwarranted under existing law, if it is supported by a good faith argument for an extension, modification, or reversal of the existing law.

A party under this section includes the state and its political subdivisions.

Sec. 3. [EFFECTIVE DATE.]

This act is effective on August 1, 1983, and applies to all civil actions or contested cases commenced on or after that date."

Amend the title as follows:

Page 1, line 5, delete everything after the semicolon

Page 1, line 6, delete everything before the period and insert "amending Minnesota Statutes 1982, section 549.21; proposing new law coded in Minnesota Statutes, chapter 14"

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. 795: A bill for an act relating to crimes; providing for increases in maximum authorized fines for crimes and petty misdemeanors; amending Minnesota Statutes 1982, sections 609.02, subdivisions 3, 4, and 4a; and 609.03; proposing new law coded in Minnesota Statutes, chapter 609; repealing Minnesota Statutes 1982, sections 609.031 and 609.032.

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

Page 1, line 19, reinstate the stricken language

Page 1, lines 19 and 20, delete the new language

Page 1, line 21, delete everything before the period

Pages 1 and 2, delete section 3

Page 2, line 20, delete "PETTY"

Page 2, line 21, delete "MISDEMEANORS;"

Page 2, delete lines 22 to 25

Page 2, line 26, delete "Subd. 2. [MISDEMEANORS.]"

Page 3, line 11, delete "(a)"

Page 3, line 12, after "fine" insert "specified by law as" and delete "\$2,000" and insert "January 1, 1983, for commission of a felony"

Page 3, line 13, delete "\$4,000" and insert "twice the amount of the fine specified by law"

Page 3, delete lines 14 to 36

Page 4, delete lines 1 to 4

Page 4, line 9, delete "8" and insert "7"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 5, after "3" delete the comma and insert "and" and delete ", and 4a"

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. 1092 for comparison with companion Senate File, reports the following House File was found not identical with its companion Senate File as follows:

SPECIAL ORDERS		CONSENT CALENDAR		CALENDAR	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F.No.	S.F.No.
1092	1119				

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H.F. No. 1092 be amended as follows:

Page 2, line 14, reinstate the stricken language

Page 2, line 15, delete "\$10"

Page 2, line 20, delete "temporary" and insert "duplicate"

Page 2, line 22, delete "The"

Page 2, delete lines 23 to 28

Page 2, line 34, delete "temporary" and insert "duplicate"

And when so amended H.F. No. 1092 will be identical to S.F. No. 1119, and further recommends that H.F. No. 1092 be given its second reading and substituted for S.F. No. 1119, 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. 455 for comparison with companion Senate File, reports the following House File was found not identical with its companion Senate File as follows:

SPECIAL ORDERS		CONSENT CALENDAR		CALENDAR	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F.No.	S.F.No.
455	406				

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H.F. No. 455 be amended as follows:

Page 1, line 35, delete everything after "*the*"

Page 1, line 36, delete "*business and*" and insert "*regulation of*"

Page 2, line 6, delete "*Notwithstanding any law to the contrary,*"

Page 2, lines 12 and 13, delete "*as provided in chapter 43A*"

Page 2, line 14, delete the semicolon and insert a comma and before the period insert "*; COMMERCE COMMISSION; COMMERCE DEPARTMENT; COMMISSIONERS OF BANKS, INSURANCE, AND SECURITIES AND REAL ESTATE*"

Page 2, delete lines 15 and 16

Page 2, line 30 to page 3, line 2, delete subdivision 2

Page 3, line 14, after "*DELEGATION*" insert "*OF INSURANCE REGULATORY AUTHORITY*"

Page 3, line 14, delete "*may*" and insert "*shall*"

Page 3, line 15, delete "*or more*" and delete "*executive*" and insert "*deputy*"

Page 3, line 16, delete "*, including*" and insert "*relating to insurance as set forth in chapters 60A to 79, except for budget, personnel, and general administration. The delegation of authority includes*"

Page 3, line 17, delete "*final*"

Page 3, after line 18, insert:

"Subd. 3. [DELEGATION OF FINANCIAL INSTITUTIONS REGULATORY AUTHORITY.] The commissioner of commerce shall delegate to one of his deputy commissioners the exercise of his statutory powers and duties relating to financial institutions as set forth in chapters 46 to 59A, except for budget, personnel, and general administration. The delegation of authority includes the authority to decide and issue orders in contested cases, rule-making proceedings, and other hearings held under chapter 14.

Subd. 4. [DELEGATION OF SECURITIES REGULATORY AUTHORITY.] The commissioner of commerce shall delegate to one of his deputy commissioners the exercise of his statutory powers and duties relating to securities as set forth in chapters 80A, 80B, and 80C, except for budget, personnel, and general administration. The delegation of authority includes the authority to decide and issue orders in contested cases, rulemaking proceedings, and other hearings held under chapter 14.

Subd. 5. [DELEGATION OF REAL ESTATE REGULATORY AUTHORITY.] The commissioner of commerce shall delegate to one of his deputy commissioners the exercise of his statutory powers and duties relating to real estate as set forth in chapters 82 and 83, except for budget, personnel, and general administration. The delegation of authority includes the authority to decide and issue orders in contested cases, rulemaking pro-

ceedings, and other hearings held under chapter 14.

Subd. 6. [REVIEW BY COMMISSIONER.] Notwithstanding any other law to the contrary, an order issued by a deputy commissioner under subdivisions 2 to 5 may be appealed to the commissioner or reviewed by the commissioner at his discretion within 15 days after receipt of the order. If no appeal is filed and no discretionary review is made, the deputy commissioner's order is the final order. Review of the appeal shall be on the record and shall be subject to the procedures prescribed by rule by the commissioner. Appeal of the commissioner's order, or the order of the deputy commissioner if no appeal is made to the commissioner, shall be as provided under the provisions of the administrative procedure act of chapter 14, unless otherwise provided by law."

Page 4, line 30, after "*the*" insert "*managerial or commissioner's plan or the*"

Page 5, line 18, strike "to the general fund"

Page 8, line 11, after "1982" insert a comma

Page 10, line 28 to page 11, line 28, delete section 21

Page 13, line 17, delete "34" and insert "30"

Page 13, line 22, after "*the*" insert "*managerial or commissioner's plan or the*"

Page 14, line 5 to page 17, line 6, delete section 26

Page 18, lines 9 to 14, delete section 28

Page 18, lines 26 to 33, delete section 30

Page 21, line 13, after "*the*" insert "*managerial or commissioner's plan or the*"

Page 21, line 23 to page 22, line 20, delete section 36

Page 25, line 1, strike "commerce" and insert "health"

Page 25, line 3, strike "commerce" and insert "health"

Page 25, line 31, delete "40" and insert "38"

Page 26, line 15, delete the period and insert a semicolon

Page 26, after line 15, insert:

"(h) 'department of administration' or 'commissioner of administration' where those terms appear in chapter 238; and"

Page 26, line 16, delete "(h)" and insert "(i)"

Delete page 26, line 31 to page 27, line 29

Page 27, line 32, after "45.16;" insert "45.17, subdivision 6;"

Page 27, line 35, delete "42" and insert "37"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 6, after "of" insert "administration," and delete "energy,"

Page 1, line 7, delete "planning and development,"

Page 1, line 14 delete "commissioner" and insert "commissioners" and after "and" insert "health and"

Page 1, line 18, delete "15A.081, subdivision 1;"

Page 1, line 21, delete "6,"

Page 1, line 22, delete "116J.03, subdivision 1;"

Page 1, line 24, delete "214.04, subdivision 1;"

Page 1, line 27, delete "chapters" and insert "chapter" and delete "and 116J.57;"

Page 1, line 29, after "45.16;" insert "45.17, subdivision 6;"

And when so amended H.F. No. 455 will be identical to S.F. No. 406, and further recommends that H.F. No. 455 be given its second reading and substituted for S.F. No. 406, 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. 1147 for comparison with companion Senate File, reports the following House File was found not identical with its companion Senate File as follows:

SPECIAL ORDERS		CONSENT CALENDAR		CALENDAR	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F.No.	S.F.No.
1147	1096				

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H.F. No. 1147 be amended as follows:

Page 1, lines 9 to 20, delete section 1

Page 1, line 22, delete "6" and insert "4"

Page 2, line 21, delete "5" and insert "4"

Page 3, line 6, delete "5" and insert "4"

Page 3, line 9, delete "5" and insert "4" and delete "city" and insert "cities"

Page 3, line 12, delete "5" and insert "4"

Page 3, line 16, delete "of Richfield"

Page 3, line 19, delete "5" and insert "4"

Page 3, line 20, delete the second comma

Page 3, delete line 21

Page 3, line 22, delete everything before the period

Renumber the sections in sequence

And when so amended H.F. No. 1147 will be identical to S.F. No. 1096, and further recommends that H.F. No. 1147 be given its second reading and substituted for S.F. No. 1096, 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. 1008, 557 and 795 were read the second time.

SECOND READING OF HOUSE BILLS

H.F. Nos. 114, 1092, 455 and 1147 were read the second time.

MOTIONS AND RESOLUTIONS

Mr. Merriam moved that the name of Mrs. Lantry be added as a co-author to S.F. No. 280. The motion prevailed.

SUSPENSION OF RULES

Remaining on the Order of Business of Motions and Resolutions, Mr. Moe, R.D. moved that the Senate take up the Consent Calendar and that the rules of the Senate be so far suspended as to waive the lie-over requirement. The motion prevailed.

CONSENT CALENDAR

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

Mr. Dicklich moved to amend H. F. No. 462 as follows:

Page 1, after line 11, insert:

“Sec. 2. Laws 1955, chapter 633, section 1, subdivision 2, as amended by Laws 1978, chapter 468, section 1, is amended to read:

Subd. 2. [FEES.] For such certificate the county shall receive a compensation of \$2 not to exceed the fee established by Minnesota Statutes, section 272.46, for each lot or parcel of land described in the certificate, ~~which~~. The fee shall be prescribed by the county board and collected by the county auditor. Any number of contiguous tracts of land not exceeding one section, assessed as broad acres, or adjoining lots in the same block, in the city or village, shall be considered as one parcel of land or lot within the meaning of this section. All moneys received by the county auditor under this section shall immediately be paid by him to the county treasurer as hereinafter provided.

Sec. 3. Laws 1951, chapter 391, section 2, is amended to read:

Sec. 2. Each of the county commissioners shall be allowed and paid in

addition to said salary, his actual and necessary traveling expenses incurred and paid by him in the discharge of his official duties, ~~not exceeding in any one calendar year the sum of \$900 for each commissioner.~~ Such traveling expenses shall be allowed by the county board upon duly verified and itemized bills in the same manner as other claims against the county.

Sec. 4. Laws 1959, chapter 301, section 1, as amended by Laws 1977, chapter 60, section 1, is amended to read:

Section 1. [ST. LOUIS COUNTY; AUTOMOBILE EXPENSE OF COMMISSIONERS.] County commissioners of St. Louis County are hereby authorized to pay themselves when they submit a certified claim to the board, for the use of their privately owned cars used in county business at the rate permitted by law, from the road and bridge fund of their respective districts, and said payments shall be over and above their general expenses for county business authorized by Laws 1951, chapter 391, section 2, ~~and not to exceed in any one calendar year the sum of \$1,800 for each commissioner.~~

Sec. 5. [CLERK OF ST. LOUIS COUNTY BOARD.]

Notwithstanding the provisions of Minnesota Statutes, section 384.09, or any other law to the contrary, the St. Louis county board may designate a person other than the county auditor to be clerk of the county board."

Page 1, line 14, delete "this act" and insert "section 1" .

Page 1, line 15, after the period, insert "*Sections 2 to 5 are effective the day after compliance with Minnesota Statutes, section 645.021, subdivision 3, by the St. Louis county board.*"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 3, before the period, insert "; providing that the county board set the fees for tax search certificates; providing for reimbursement of certain expenses of county commissioners; allowing the county board to designate a clerk other than the auditor; amending Laws 1951, chapter 391, section 2; Laws 1955, chapter 633, section 1, subdivision 2, as amended; and Laws 1959, chapter 301, section 1, as amended"

The motion prevailed. So the amendment was adopted.

H.F. No. 462 was read the third time, as amended, and placed on its final passage.

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

The roll was called, and there were yeas 58 and nays 0, as follows:

Those who voted in the affirmative were:

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

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

H.F. No. 602: A bill for an act relating to commerce; providing for a nonpossessory mechanics' lien under certain circumstances; proposing new law coded in Minnesota Statutes, chapter 514.

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 60 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

RECESS

Mr. Moe, R.D. moved that the Senate do now recess subject to the call of the President. The motion prevailed.

After a brief recess, the President called the Senate to order.

APPOINTMENTS

Mr. Moe, R.D. from the Subcommittee on Committees recommends that the following Senators be and they hereby are appointed as a Conference Committee on:

H.F. No. 76: Messrs. Merriam; Peterson, R.W.; Luther; Petty and Berg.

S.F. No. 238: Messrs. Diessner, Merriam and Bernhagen.

S.F. No. 280: Mr. Merriam, Mrs. Lantry, Messrs. Spear, Petty and Johnson, D.E.

Mr. Moe, R.D. moved that the foregoing appointments be approved. The motion prevailed.

SPECIAL ORDER

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

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 56 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

SPECIAL ORDER

H.F. No. 725: A bill for an act relating to transportation; classifying right-of-way appraisals as confidential data; regulating the conveyancing and leasing of certain rights-of-way; providing that the consideration to be paid upon reconveyance be equal to the estimated current market value of the property reconveyed; authorizing the acquisition of fee title under certain conditions; authorizing the lease of certain easements and providing for the distribution of rents; providing for the alteration of public drainage systems affecting trunk highways; authorizing fees for and the services of a licensed real estate broker for disposing of right-of-way; authorizing the commissioner to convey land to a utility under certain circumstances; amending Minnesota Statutes 1982, sections 13.50, subdivision 1; 161.202, subdivision 4; 161.241, subdivisions 3 and 4; 161.28, subdivision 1; 161.43; 161.44, subdivisions 2 and 9, and by adding a subdivision; 161.46, subdivision 4; and proposing new law coded in Minnesota Statutes, chapter 161.

Mr. Schmitz moved to amend H.F. No. 725, as amended pursuant to Rule 49, adopted by the Senate April 14, 1983, as follows:

(The text of the amended House File is identical to S.F. No. 818.)

Page 4, line 24, reinstate the stricken "of"

Page 5, line 10, delete "*estimated*" and insert "*appraised*"

Page 7, line 5, delete "*estimated*" and insert "*appraised*"

The motion prevailed. So the amendment was adopted.

H.F. No. 725 was read the third time, as amended, and placed on its final passage.

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

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

Those who voted in the affirmative were:

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.	Stumpf
Berglin	Freeman	Lantry	Peterson, R. W.	Taylor
Bernhagen	Hughes	Lessard	Petty	Ulland
Bertram	Isackson	Luther	Pogemiller	Vega
Chmielewski	Johnson, D. E.	McQuaid	Purfeerst	Waldorf
Dahl	Johnson, D. J.	Mehrkins	Ramstad	Wegscheid
Davis	Jude	Merriam	Reichgott	Willet
DeCramer	Kamrath	Moe, D. M.	Renneke	
Dicklich	Knaak	Novak	Samuelson	
Diessner	Knutson	Olson	Schmitz	

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

SPECIAL ORDER

S.F. No. 915: A bill for an act relating to public safety; providing that the capitol complex security division of the department of public safety shall be responsible for the detection of crime in the capitol complex; providing benefits to survivors of security guards or guard supervisors employed by the capitol complex security division who are killed in the line of duty; exempting employees of the capitol complex security division from uniform color requirements; amending Minnesota Statutes 1982, sections 299C.46, subdivision 3; 352E.01, subdivision 2; and 626.88, subdivision 1; repealing Minnesota Statutes 1982, section 626.88, subdivision 3.

Mr. Wegscheid moved that S.F. No. 915, No. 23 on Special Orders, be stricken and re-referred to the Committee on Governmental Operations. The motion prevailed.

SPECIAL ORDER

H.F. No. 667: A bill for an act relating to employment; providing leaves of absence for adoptive parents; proposing new law coded in Minnesota Statutes, chapter 181.

Mr. Benson moved that the amendment made to H.F. No. 667 by the Committee on Rules and Administration in the report adopted April 18, 1983, pursuant to Rule 49, be stricken. The motion prevailed. So the amendment was stricken.

H.F. No. 667 was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 61 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

SPECIAL ORDER

H.F. No. 684: A bill for an act relating to administrative procedures; exempting certain rules from the requirement of approval by the revisor of statutes and related procedures; amending Minnesota Statutes 1982, section 14.38, subdivision 6.

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

So the bill passed and its title was agreed to.

SPECIAL ORDER

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

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 60 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

NOTICE OF RECONSIDERATION

Ms. Reichgott gave notice of her intention to move for reconsideration of

the vote whereby H.F. No. 667 was passed by the Senate on April 28, 1983.

SPECIAL ORDER

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

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

So the bill passed and its title was agreed to.

SPECIAL ORDER

S.F. No. 879: A bill for an act relating to courts; increasing mileage allowances for jurors; amending Minnesota Statutes 1982, section 593.48.

Mr. Wegscheid moved to amend S.F. No. 879 as follows:

Page 1, line 11, after "at" strike "the" and insert "a"

Page 1, line 12, reinstate the stricken "15" and before "24" insert "to"

The motion prevailed. So the amendment was adopted.

S.F. No. 879 was read the third time, as amended, and placed on its final passage.

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

The roll was called, and there were yeas 58 and nays 2, as follows:

Those who voted in the affirmative were:

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

Messrs. Bertram and Knaak voted in the negative.

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

SPECIAL ORDER

S.F. No. 473: A bill for an act relating to traffic regulations; removing restrictions on use at trial of an accused's refusal to take a chemical test; providing that a suspect be informed that refusal to take a chemical test will be used against him at trial; providing penalties; amending Minnesota Statutes 1982, sections 169.121, subdivisions 2, 3, and 4; and 169.123, subdivisions 2, 3, and 4.

Mr. Ramstad moved to amend S.F. No. 473 as follows:

Page 4, after line 3, insert:

"Sec. 4. Minnesota Statutes 1982, section 169.121, subdivision 8, is amended to read:

Subd. 8. [ALCOHOL ASSESSMENT.] When the evidentiary test shows an alcohol concentration of 0.07 or more, that result ~~shall~~ *must* be reported to the commissioner of public safety. The commissioner shall record that fact on the driver's record. ~~When the driver's record shows a second or subsequent report of an alcohol concentration of 0.07 or more within two years of a recorded report, the commissioner may require that the driver have an alcohol problem assessment meeting the commissioner's requirements. The commissioner shall require that the driver have an alcohol problem assessment at a facility licensed by the commissioner of public welfare or at an assessment program approved by a county board within seven days after the occurrence of any of the following:~~

(a) *The chemical test shows an alcohol concentration of 0.10 or more;*

(b) *The driver's record shows a second or subsequent report of an alcohol concentration of 0.07 or more within two years of a recorded report;*

(c) *When no test is administered for whatever reason and a peace officer who stops the driver has reasonable cause to believe the person is driving, operating, or in physical control of a motor vehicle while under the influence of alcohol and has a prior alcohol-related driving offense or a prior license revocation pursuant to section 169.123. The court may use the assessment in lieu of a presentence investigation pursuant to a conviction under section 169.121 or when a violation of that section is charged and a conviction for a lesser offense results.*

The assessment ~~shall~~ *must* be at the driver's expense. *If the assessment so indicates, an appropriate referral for treatment must be made. In no event shall* The commissioner ~~deny~~ *shall* revoke the license of a person who refuses to take the assessment or to undertake treatment, if treatment is indicated by the assessment, for ~~longer than 90 days~~ *six months after appropriate notice and hearing*. If an assessment is made ~~pursuant to~~ *under* this section, the commissioner may waive the assessment required by section 169.126."

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 8, delete the first "and" and after "4" insert ", and 8"

Mr. Merriam moved to amend the Ramstad amendment to S.F. No. 473 as follows:

After the Ramstad amendment, insert:

“Page 7, after line 14, insert:

“Sec. 8. [REPEALER.]

Minnesota Statutes 1982, section 169.1231, is repealed.”

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 6, after the first semicolon, insert “removing requirements for mandatory detoxification in certain instances;”

Page 1, line 9, before the period, insert “; repealing Minnesota Statutes 1982, section 169.1231”

The motion prevailed. So the amendment to the Ramstad amendment was adopted.

The question recurred on the Ramstad amendment, as amended.

The motion prevailed. So the amendment, as amended, was adopted.

Mr. Diessner moved to amend the Ramstad amendment to S.F. No. 473, adopted by the Senate April 28, 1983, as follows:

Page 1, line 34, before “The” insert “*The driver may obtain a second assessment under this subdivision if he disagrees with the results of the first assessment.*”

The motion prevailed. So the amendment to the Ramstad amendment was adopted.

S.F. No. 473 was read the third time, as amended, and placed on its final passage.

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

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

Those who voted in the affirmative were:

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

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

RECONSIDERATION

Mr. Mehrkens moved that the vote whereby H.F. No. 149 was passed by

the Senate on April 28, 1983, be now reconsidered. The motion prevailed.

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

Mr. Frederick moved to amend H.F. No. 149 as follows:

Page 1, after line 23, insert:

“Sec. 2. Minnesota Statutes 1982, section 98.48, subdivision 3, is amended to read:

Subd. 3. The commissioner may issue special permits, without fee, to take, possess and transport wild animals in such manner and under such conditions as he may prescribe for scientific, educational or exhibition purposes, or for use as pets, provided no wild or native deer may be taken or possessed for propagation, or exhibition ~~or pet purposes~~, except those now lawfully possessed for such purposes. *The commissioner shall promulgate rules for issuing special permits to persons for the purpose of possessing wild and native deer as pets.* All animals possessed under authority of this provision, as well as deer now contained on game farms, private and public parks and zoos, and their progeny, or possessed as pets, may be disposed of only as prescribed by the commissioner.”

Amend the title as follows:

Page 1, line 3, after the semicolon, insert “providing for rules for special permits for pet deer;”

Page 1, line 4, delete “section” and insert “sections” and after “2” insert “; and 98.48, subdivision 3”

The motion prevailed. So the amendment was adopted.

H.F. No. 149 was read the third time, as amended, and placed on its final passage.

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

The roll was called, and there were yeas 58 and nays 0, as follows:

Those who voted in the affirmative were:

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

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

RECONSIDERATION

Ms. Reichgott moved that the vote whereby H.F. No. 667 was passed by

the Senate on April 28, 1983, be now reconsidered. The motion prevailed.

H.F. No. 667: A bill for an act relating to employment; providing leaves of absence for adoptive parents; proposing new law coded in Minnesota Statutes, chapter 181.

Ms. Reichgott moved to amend H.F. No. 667 as follows:

Page 1, delete lines 8 and 9

Page 1, line 10, delete everything before the period 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"

The motion prevailed. So the amendment was adopted.

H.F. No. 667 was read the third time, as amended, and placed on its final passage.

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

The roll was called, and there were yeas 53 and nays 0, as follows:

Those who voted in the affirmative were:

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

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

SPECIAL ORDER

S.F. No. 742: A bill for an act relating to courts; establishing a court structure study commission; establishing its powers and duties; requiring a report to the legislature.

Mr. Merriam moved to amend S.F. No. 742 as follows:

Page 2, line 15, before the period, insert *"including recommendations from the commissioner of corrections concerning court services and probation"*

The motion prevailed. So the amendment was adopted.

S.F. No. 742 was read the third time, as amended, and placed on its final passage.

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

The roll was called, and there were yeas 54 and nays 0, as follows:

Those who voted in the affirmative were:

Adkins	Frank	Langseth	Olson	Samuelson
Anderson	Frederick	Lantry	Peterson, C. C.	Schmitz
Benson	Frederickson	Lessard	Peterson, D. C.	Sieloff
Berglin	Freeman	Luther	Peterson, D. L.	Solon
Bertram	Isackson	McQuaid	Peterson, R. W.	Spear
Chmielewski	Johnson, D. E.	Mehrkens	Petty	Stumpf
Dahl	Jude	Merriam	Pogemiller	Vega
Davis	Knaak	Moe, D. M.	Purfeerst	Waldorf
DeCramer	Kroening	Moe, R. D.	Ramstad	Wegscheid
Dicklich	Kronebusch	Nelson	Reichgott	Willett
Dieterich	Laidig	Novak	Renneke	

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

SPECIAL ORDER

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.

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 52 and nays 0, as follows:

Those who voted in the affirmative were:

Adkins	Frank	Langseth	Olson	Schmitz
Anderson	Frederick	Lantry	Pehler	Spear
Benson	Frederickson	Lessard	Peterson, D. C.	Stumpf
Berglin	Freeman	Luther	Peterson, R. W.	Taylor
Bertram	Hughes	McQuaid	Petty	Vega
Chmielewski	Isackson	Mehrkens	Pogemiller	Waldorf
Davis	Johnson, D. E.	Merriam	Purfeerst	Wegscheid
DeCramer	Jude	Moe, D. M.	Ramstad	Willett
Dicklich	Knaak	Moe, R. D.	Reichgott	
Diessner	Kroening	Nelson	Renneke	
Dieterich	Kronebusch	Novak	Samuelson	

So the bill passed and its title was agreed to.

SPECIAL ORDER

S.F. No. 1060: A bill for an act relating to taxation; requiring certain information on income tax forms; amending Minnesota Statutes 1982, section 290.39, by adding a subdivision.

Mr. Renneke moved to amend S.F. No. 1060 as follows:

Page 1, after line 6, insert:

“Section 1. Minnesota Statutes 1982, section 290.39, subdivision 1, is amended to read:

Subdivision 1. [IN GENERAL.] Every return shall specifically set forth the items of gross income, deductions, credits against the tax, and any other data necessary for computing the amount of any item required for determining the amount of the net income tax liability. The return shall be in such form as the commissioner of revenue may prescribe. *A space shall be provided on the return in which each individual taxpayer shall indicate the*

number of the school district in which he resides. The filing of a return required under this section shall be deemed an assessment subject to revision of the tax shown due on the basis of such return.

In the event a taxpayer files a return which does not contain all the information required by this subdivision, the commissioner may, in addition to any other remedies which may be available, bring an action in equity by the state against the taxpayer for an injunction ordering the taxpayer to file a complete and proper return in accordance with this subdivision. The district courts of this state shall have jurisdiction over the action and disobedience of an injunction issued under this subdivision shall be punished as a contempt of district court."

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 2, after the semicolon, insert "income; requiring indication on tax return of school district in which taxpayer resides;"

Page 1, line 4, after the comma, insert "subdivision 1, and"

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

S.F. No. 1060 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 48 and nays 3, as follows:

Those who voted in the affirmative were:

Adkins	Diessner	Knaak	Novak	Renneke
Anderson	Dieterich	Kronebusch	Olson	Solon
Benson	Frank	Langseth	Peterson, C.C.	Spear
Berglin	Frederick	Lantry	Peterson, D.C.	Stumpf
Bertram	Frederickson	Lessard	Peterson, D.L.	Taylor
Chmielewski	Freeman	Luther	Peterson, R.W.	Vega
Dahl	Hughes	McQuaid	Petty	Waldorf
Davis	Isackson	Mehrkens	Pogemiller	Willet
DeCramer	Johnson, D.E.	Moe, R. D.	Ramstad	
Dicklich	Jude	Nelson	Reichgott	

Messrs. Knutson, Merriam and Wegscheid voted in the negative.

So the bill passed and its title was agreed to.

SPECIAL ORDER

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.

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 52 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

SPECIAL ORDER

H.F. No. 230: A bill for an act relating to insurance; prohibiting sex discrimination under Minnesota comprehensive health insurance plan; amending Minnesota Statutes 1982, section 62E.08, 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 51 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

SPECIAL ORDER

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.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 61 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

SPECIAL ORDER

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.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 61 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

SPECIAL ORDER

S.F. No. 1168: A bill for an act relating to insurance; covered claims under the insurance guaranty act; rulemaking power of commissioner on nonrenewal of auto insurance and self-insurance; application fee for self-insurers; commissioner to adopt rules on nonrenewals of policies; amending Minnesota Statutes 1982, sections 60C.09, subdivision 1; 65B.17; and 65B.48, subdivision 3, 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 60 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

RECONSIDERATION

Mr. Vega moved that the vote whereby H.F. No. 189 failed to pass the Senate on April 27, 1983, be now reconsidered. The motion prevailed.

H.F. No. 189: A bill for an act relating to energy; requiring certain conservation investments by regulated utilities; amending Minnesota Statutes 1982, sections 116J.09; 116J.18, subdivision 1a; 216A.07, subdivision 3; 216B.03; 216B.16, subdivision 1; and 216B.241, subdivisions 1, 2, and 3.

CALL OF THE SENATE

Mr. Vega imposed a call of the Senate for the balance of the proceedings on H.F. No. 189. The Sergeant at Arms was instructed to bring in the absent members.

Mr. Frank moved to amend H.F. No. 189 as follows:

Page 6, line 4, after the period, insert "*The commission shall evaluate the program on the basis of cost-effectiveness and the reliability of technologies employed.*"

Page 6, line 16, delete "\$5,000,000" and insert "\$50,000,000"

The motion prevailed. So the amendment was adopted.

H.F. No. 189 was read the third time, as amended, and placed on its final passage.

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

The roll was called, and there were yeas 44 and nays 21, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Adkins	Bernhagen	Kamrath	McQuaid	Renneke
Anderson	Frederick	Knaak	Mehrkins	
Belanger	Frederickson	Knutson	Olson	
Benson	Isackson	Kronebusch	Peterson, C.C.	
Berg	Johnson, D.E.	Laidig	Peterson, D.L.	

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

SPECIAL ORDER

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

Mr. Spear moved that S.F. No. 692 be stricken from Special Orders and re-referred to the Committee on Public Utilities and State Regulated Industries. The motion prevailed.

SPECIAL ORDER

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

Mr. Chmielewski moved to amend S.F. No. 952 as follows:

Page 1, line 17, delete the new language

Page 2, line 1, after "fitness" insert "*, subscribed and sworn to under oath,*"

Page 2, line 19, delete "*wrestling and*"

Page 2, line 23, after "*in*" insert "*any*"

Page 2, line 23, before the period, insert "*or the board, in its discretion, determines that an electroencephalogram is necessary to protect the health of the boxer*"

The motion prevailed. So the amendment was adopted.

Mr. Dahl moved to amend S.F. No. 952 as follows:

Page 2, line 23, before the period, insert "*, and it must include an eye examination designed to reveal any retinal defects or damage that could be aggravated by boxing*"

The motion prevailed. So the amendment was adopted.

Mr. Freeman moved to amend S.F. No. 952 as follows:

Page 2, lines 2 to 17, reinstate the stricken language

Page 2, lines 17 to 23, delete the new language

The motion prevailed. So the amendment was adopted.

S.F. No. 952 was then progressed.

SPECIAL ORDER

S.F. No. 984: A bill for an act relating to taxation; authorizing cities to impose taxes on the gross receipts from the furnishing of certain lodging; requiring these funds to be dedicated to tourism marketing and promotion; proposing new law coded in Minnesota Statutes, chapter 477A.

Mr. Pehler moved to amend S.F. No. 984 as follows:

Page 1, delete subdivision 2

Renumber the remaining subdivision

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

S.F. No. 984 was then progressed.

SPECIAL ORDER

S.F. No. 366: A bill for an act relating to appropriations; authorizing the Arrowhead regional development commission to repay an appropriation with funds raised by a levy; amending Laws 1981, chapter 356, section 30.

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

The question was taken on the passage of the bill.

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

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

SPECIAL ORDER

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

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

The question was taken on the passage of the bill.

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

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

RECESS

Mr. Moe, R.D. moved that the Senate do now recess subject to the call of the President. The motion prevailed.

After a brief recess, the President called the Senate to order.

MOTIONS AND RESOLUTIONS - CONTINUED

Mr. Freeman moved that the name of Mr. Ramstad be added as a co-author to S.F. No. 473. The motion prevailed.

Mr. Jude moved that the name of Mr. Dahl be added as a co-author to S.F. No. 1165. The motion prevailed.

Mr. Pehler introduced—

Senate Concurrent Resolution No. 11: A Senate concurrent resolution providing for a joint convention of the Senate and the House of Representatives to elect members of the Board of Regents of the University of Minnesota.

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

(1) The Senate and the House of Representatives shall meet in joint convention on Tuesday, May 3, 1983, in the chamber of the House of Representatives to elect members to the Board of Regents of the University of Minnesota.

(2) The Education Committee of the Senate and the Education Committee of the House of Representatives, in a joint meeting, are appointed to submit a slate of nominations and to report the slate at the meeting of the joint convention.

Mr. Pehler moved that the foregoing resolution be laid on the table. 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. Moc, D.M. introduced—

S.F. No. 1214: A bill for an act relating to nuclear energy; providing for the decommissioning of nuclear power plants; requiring decommissioning financing and physical plans; requiring the establishment of decommissioning fund committees; providing for decommissioning trust funds; proposing new law coded in Minnesota Statutes, chapter 216B.

Referred to the Committee on Energy and Housing.

Mr. Moe, D.M. introduced—

S.F. No. 1215: A bill for an act relating to nuclear energy; prohibiting the construction of nuclear fission electrical generating plants in Minnesota;

proposing new law coded in Minnesota Statutes, chapter 216B.

Referred to the Committee on Energy and Housing.

MEMBERS EXCUSED

Mrs. Brataas and Mr. Storm were excused from the Session of today. Mr. Johnson, D.J. was excused from the Session of today from 11:00 a.m. to 2:45 p.m. Mr. Kamrath was excused from the Session of today from 12:30 to 1:00 p.m. Messrs. Dahl and Frank were excused from the Session of today from 12:45 to 1:15 p.m. Ms. Olson was excused from the Session of today at 2:00 p.m.

ADJOURNMENT

Mr. Moe, R.D. moved that the Senate do now adjourn until 9:00 a.m., Friday, April 29, 1983. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate