

SIXTY-SEVENTH DAY

St. Paul, Minnesota, Monday, March 26, 1984

The Senate met at 11:00 a.m. and was called to order by the President.

Prayer was offered by the Chaplain, Rev. M.E. Sandness.

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

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

The President declared a quorum present.

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

MEMBERS EXCUSED

Mrs. Brataas, Messrs. Johnson, D.E.; Peterson, R.W.; Taylor and Waldorf were excused from the Session of today.

REPORTS AND RESOLUTIONS FILED DURING THE INTERIM WITH THE SECRETARY OF THE SENATE

Various reports were filed during the 1983 interim by Retirement and Relief Associations and are filed in the office of the Secretary of the Senate; also reports made by the Legislative Audit Commission on various state institutions and boards; Department of Natural Resources, Division of Forestry, Continuing Education of Foresters in Minnesota, 1983; Department of Forestry, Unrequested Leave of Absence, 1983; Department of Employee Relations, Commissioner's Plan, 1983-85; Southwest Regional Development Commission, Annual Report, 1983; Southwest Regional Development Commission, Overall Work Program, 1984; Northwest Regional Development Commission, Annual Report, 1983; Board of Animal Health, Annual Report, 1982-83; Indian Affairs Intertribal Board, Indian Affairs Council,

Annual Report, 1983; Department of Health, Hospital Licensure Program, 1983; Board of Peace Officer Standards and Training, Allocation of Moneys for Peace Officer Training, 1983; Department of Education, Multi-county, Multi-type Library Cooperation Program; Department of Finance, Average Cost Funding Task Force, Interim Report, 1983; University of Minnesota, State University Board, Community College Board and the Vocational Education Board, Admission Requirements for Incoming Freshmen, 1983; Minnesota Zoological Garden, Annual Report, 1983; Department of Transportation, Rail Users Loan Guarantee Program, 1983; Department of Natural Resources, Report on Endangered Species; Minnesota Housing Finance Agency, Report on Municipal Housing Bond Programs, 1984; Department of Health, An Assessment of the Impact of the Moratorium on the Medical Assistance Certification of Nursing Home and Boarding Care Home Beds, 1984; Department of Education, Feasibility Program and Fiscal Impact of Draft Guidelines for Students with Specific Learning Disabilities and for Students with Emotional/Behavioral Disorders; Department of Administration, Management Study of the Regional and Subregional Structure of the Department of Natural Resources, 1984; Office of the Secretary of State, Open Appointments Act, Annual Report, 1984; Ethical Practices Board, Annual Report, 1983; Metropolitan Council, Annual Report, 1983; State Board of Investment, External Money Manager's Report, 1984; City of Richfield, Residential Energy Conservation Programs, 1984; Department of Education, Review and Comment Report on School Construction, 1984; University of Minnesota, Annual Report, 1983; Department of Education, Elementary and Secondary Education Section, Report on Technology and Educational Improvement, 1984; Department of Agriculture, Weather Modification Activities Report, 1983; Department of Education, Report on Minnesota Career Information System, 1984; Department of Administration, Annual Report, Small Business Procurement Act, 1983; Department of Administration, Management Analysis Division, Operational Analysis of the Department of Human Rights, 1984; Metropolitan Waste Control Commission, Program Budget, 1984; Metropolitan Transit Commission, 1984 Budget; Department of Health, Feasibility Study of a Statewide Pathology Based Cancer Surveillance System, 1982; Department of Health, An Overview of Birth Defects in Minnesota, 1950-80; Minnesota Community College System and Minnesota Vocational Technical Education System, Inter-System Cooperation Interim Report, 1984; Workers' Compensation Court of Appeals, Report on Standards Governing Payments, Peace Officer Benefit Fund, 1984; Department of Natural Resources, Off-Road Vehicle Use, 1984; Interagency Board for Quality Assurance, Progress Report, 1984; Department of Health and Department of Public Welfare, Minnesota 1982 Long-Term Care Plan, 1984; Legislative Study Commission on Metropolitan Transit, 1984; Department of Administration, Executive Council's Emergency Fund Expenditures, 1984; Joint Legislative Study Commission on the Utilization of Venipuncture, 1984; Department of Labor and Industry, Biennial Report, 1980-82; Department of Health, Certificate of Need Review in Minnesota, Past Effectiveness and Issues for the Future, 1984; Department of Human Rights, Status Report, 1984; Department of Human Rights, Charge Processing Policies, 1984; Department of Administration, Managing the Information Systems of State Government, 1983; Department of Employee Relations, Managerial Plan, 1983; Department of Public Safety, Bureau of Criminal Apprehension, 1984; Department of Public Safety, Port of Entry Study, 1983.

MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to announce the passage by the House of the following House Files, herewith transmitted: H.F. Nos. 404, 1381, 1486 and 1760.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted March 21, 1984

FIRST READING OF HOUSE BILLS

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

H.F. No. 404: A bill for an act relating to taxation; increasing the deduction from gross income for amounts paid for dependent tuition, textbooks, and transportation expenses; amending Minnesota Statutes 1983 Supplement, section 290.089, subdivision 2.

Referred to the Committee on Taxes and Tax Laws.

H.F. No. 1381: A bill for an act relating to the city of Caledonia; providing for the appointment of members to the library board; authorizing terms of service.

Referred to the Committee on Education.

H.F. No. 1486: A bill for an act relating to courts; providing for the appeal of various matters to the court of appeals; amending Minnesota Statutes 1983 Supplement, sections 299D.03, subdivision 11; 412.861, subdivision 3; 625.09; 625.11; 625.14; and 629.62.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 1471, now on General Orders.

H.F. No. 1760: A bill for an act relating to natural resources; authorizing a private sale of certain state fisheries land.

Referred to the Committee on Agriculture and Natural Resources.

REPORTS OF COMMITTEES

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

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

S.F. No. 1736: A bill for an act relating to education; creating the Minnesota educational computing corporation as a public corporation; transferring assets of the Minnesota educational computing consortium to the corporation; amending Minnesota Statutes 1983 Supplement, section 3.732, subdivision 1; 10A.01, subdivision 18; 15A.081, subdivision 1; 135A.07, subdivision 2; and proposing new law coded as Minnesota Statutes, chapter 119; repealing Minnesota Statutes 1982, section 120.83; Minnesota Statutes 1983 Supplement, sections 120.801; 120.802; 120.803; 120.804; 120.805; 120.806; and 120.81.

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

Page 2, line 18, delete "state"

Page 2, line 23, delete "*this law*" and insert "*section 3*"

Page 3, line 31, after the period, insert "*MECC may purchase products and services developed by Minnesota educational institutions using resources of the institutions.*"

Page 4, line 7, after "*Subd. 2.*" insert "[CLOSED MEETINGS.]"

Page 5, line 25, after "*MECC*" insert "*to the state*"

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

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

S.F. No. 1733: A bill for an act relating to transportation; expanding scope of state commuter van transportation program; amending Minnesota Statutes 1982, section 16.756, subdivisions 1, 1a, and 2.

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

Page 2, after line 36, insert:

"Sec. 4. [REPEALER.]

Minnesota Statutes 1982, section 16.756, subdivision 5, is repealed."

Amend the title as follows:

Page 1, line 5, before the period, insert "; and repealing Minnesota Statutes 1982, section 16.756, subdivision 5"

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

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

S.F. No. 1784: A bill for an act relating to traffic regulations; defining term; setting speed limit for alleyway; amending Minnesota Statutes 1982, section 169.01, by adding a subdivision; proposing new law coded in Minnesota Statutes, chapter 169.

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

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

S.F. No. 1331: A bill for an act relating to transportation; designating a bridge as the "Veterans Memorial Bridge"; amending Minnesota Statutes 1982, section 161.14, by adding a subdivision.

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

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

ferred

H.F. No. 1491: A bill for an act relating to highway traffic regulations; authorizing an increase in driver improvement clinic fees; amending Minnesota Statutes 1982, section 169.972, subdivision 2.

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

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

S.F. No. 1642: A bill for an act relating to highway traffic regulations; providing for breath tests to be administered using the Intoxilizer 5000 for the purpose of determining the presence of alcohol or a controlled substance; authorizing the results of Intoxilizer 5000 breath tests to be admissible into evidence in civil and criminal hearings; authorizing the admission into evidence of certain weight record documents; amending Minnesota Statutes 1982, sections 169.121, subdivision 6; 169.123, subdivisions 4, 5a, and by adding a subdivision; 169.851, subdivision 4; Minnesota Statutes 1983 Supplement, sections 169.121, subdivision 2; 169.123, subdivisions 2 and 3; proposing new law coded in Minnesota Statutes, chapter 634.

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

Page 1, after line 17, insert:

"Section 1. Minnesota Statutes 1982, section 169.01, is amended by adding a subdivision to read:

Subd. 67. [INFRARED BREATH-TESTING INSTRUMENT.] "Infrared breath-testing instrument" means a breath-testing instrument that employs infrared technology and has been approved by the commissioner of public safety for determining alcohol concentration."

Page 2, line 17, after "*partial*" delete the new language and insert "*tests on an infrared breath-testing instrument. A result from a partial test is the measurement obtained by analyzing one adequate breath sample, as defined in section 4, paragraph (b)*"

Page 4, line 12, delete "INTOXILIZER 5000" and insert "AN INFRARED BREATH-TESTING INSTRUMENT"

Page 4, line 13, delete "*the Intoxilizer 5000*" and insert "*an infrared breath-testing instrument*"

Page 4, lines 17 and 18, delete "*the Intoxilizer 5000*" and insert "*an infrared breath-testing instrument*"

Page 4, line 22, delete "*the Intoxilizer 5000*" and insert "*an infrared breath-testing instrument*"

Page 5, line 1, after the stricken language, insert "*sample*"

Pages 6 and 7, delete section 8

Page 7, line 21, delete "INTOXILIZER 5000 TESTS" and insert "INFRARED BREATH-TESTS"

Page 7, line 23, delete "*Intoxilizer 5000 test*" and insert "*infrared breath-*

test”

Page 7, lines 24 and 25, delete “*administration of the Intoxilizer 5000 breath test*” and insert “*use of an infrared breath-testing instrument, as defined in section 1,*”

Page 7, line 28, delete “*the Intoxilizer 5000*” and insert “*an infrared breath-testing instrument*”

Page 7, delete lines 31 to 33 and insert “*Sections 1 to 9 are effective the day after final enactment and apply to trials or hearings commenced on or after the effective date.*”

Renumber the sections in sequence

Amend the title as follows:

Page 1, lines 3 and 4, delete “the Intoxilizer 5000” and insert “an infrared breath-testing instrument”

Page 1, line 6, delete “Intoxilizer 5000 breath tests” and insert “infrared breath-tests”

Page 1, line 8, delete everything after the semicolon

Page 1, line 9, delete everything before “amending”

Page 1, line 10, after “sections” insert “169.01, by adding a subdivision,”

Page 1, line 12, delete “169.851, subdivision 4;”

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

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

S.F. No. 1519: A bill for an act relating to labor; regulating the payment of wages when employment is terminated; amending Minnesota Statutes 1982, sections 181.13; and 181.14.

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

Delete everything after the enacting clause and insert:

“Section 1. [181.145] [PROMPT PAYMENT OF COMMISSIONS TO COMMISSION SALESPERSONS.]

Subdivision 1. [DEFINITIONS.] For the purposes of this section, “commission salesperson” means a person who is paid on the basis of commissions for sales and who is not covered by sections 181.13 and 181.14 because he or she is an independent contractor. For the purposes of this section, the phrase “commissions earned through the last day of employment” means commissions due for services or merchandise which have actually been delivered to and accepted by the customer by the final day of the salesperson’s employment.

Subd. 2. [PROMPT PAYMENT REQUIRED.] (a) When any person,

firm, company, association, or corporation employing a commission salesperson residing in this state terminates the salesperson, or when the salesperson resigns his or her position, the employer shall promptly pay the salesperson, at the usual place of payment, his or her commissions earned through the last day of employment or be liable to the salesperson for the penalty provided under subdivision 3 in addition to any earned commissions.

(b) If the employer terminates the salesperson or if the salesperson resigns giving at least five days written notice, the employer shall pay the salesperson's commissions earned through the last day of employment on demand no later than three working days after the salesperson's last day of work.

(c) If the salesperson resigns without giving at least five days written notice, the employer shall pay the salesperson's commissions earned through the last day of employment on demand no later than six working days after the salesperson's last day of work.

(d) Notwithstanding the provisions of paragraphs (b) and (c), if the terminated or resigning salesperson was, during his or her employment, entrusted with the collection, disbursement, or handling of money or property, the employer has ten working days after the termination of employment to audit and adjust the accounts of the salesperson before the salesperson can demand his or her commissions earned through the last day of employment. In such cases, the penalty provided in subdivision 3 shall apply only from the date of demand made after the expiration of the ten working day audit period.

Subd. 3. [PENALTY FOR NON-PROMPT PAYMENT.] If the employer fails to pay the salesperson his or her commissions earned through the last day of employment on demand within the applicable period as provided under subdivision 2, the employer shall be liable to the salesperson, in addition to his or her earned commissions, for a penalty for each day, not exceeding 15 days, which the employer is late in making full payment or satisfactory settlement to the salesperson for the commissions earned through the last day of employment. The daily penalty shall be in an amount equal to one-fifteenth of the salesperson's commissions earned through the last day of employment which are unpaid.

Subd. 4. [AMOUNT OF COMMISSION DISPUTED.] (a) When there is a dispute concerning the amount of the salesperson's commissions earned through the last day of employment or whether the employer has properly audited and adjusted the salesperson's account, the penalty provided in subdivision 3 shall not apply if the employer pays the amount it in good faith believes is owed the salesperson for commissions earned through the last day of employment within the applicable period as provided under subdivision 2; except that, if the dispute is later adjudicated and it is determined that the salesperson's commissions earned through the last day of employment were greater than the amount paid by the employer, the penalty provided in subdivision 3 shall apply.

(b) If a dispute under this subdivision is later adjudicated and it is determined that the salesperson was not promptly paid commissions earned through the last day of employment as provided under subdivision 2, the employer shall pay reasonable attorney's fees incurred by the salesperson.

Subd. 5. [COMMISSIONS EARNED AFTER LAST DAY OF EM-

PLOYMENT.] *Nothing in this section shall be construed to impair a commission salesperson from collecting commissions on merchandise ordered prior to the last day of employment but delivered and accepted after termination of employment. However, the penalties prescribed in subdivision 3 apply only with respect to the payment of commissions earned through the last day of employment."*

Delete the title and insert:

"A bill for an act relating to labor; providing for the prompt payment of commissions to commission salespersons who leave or lose their job; providing civil penalties for non-prompt payment; proposing new law coded in Minnesota Statutes, chapter 181."

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

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

S.F. No. 1495: A bill for an act relating to labor; providing for occupational safety and health; regulating infectious agents; amending Minnesota Statutes 1983 Supplement, section 182.653, subdivision 4f.

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 1983 Supplement, section 182.653, subdivision 4b, is amended to read:

Subd. 4b. Prior to an employee's initial assignment to a workplace where the employee may be routinely exposed to a hazardous substance or harmful physical agent, the employer shall provide training concerning the hazardous substance or harmful physical agent. The employer shall provide additional instruction whenever the employee may be routinely exposed to any additional hazardous substance or harmful physical agent. The term "routinely exposed" includes the exposure of an employee to a hazardous substance when assigned to work in an area where a hazardous substance has been spilled.

For each hazardous substance to which the employee may be routinely exposed, the employer's training program shall include:

(a) the name or names of the substance including any generic or chemical name, trade name, and commonly used name;

(b) the level, if any and if known, at which exposure to the substance has been determined to be safe according to standards adopted by the commissioner, or, if no standard has been adopted, according to guidelines established by competent professional groups including but not limited to the American Industrial Hygiene Association, the American Conference of Governmental Industrial Hygienists, the Center for Disease Control, the Bureau of Radiological Health, and the American National Standards Institute;

(c) the known acute and chronic effects of exposure at hazardous levels;

- (d) the known symptoms of the effects;
- (e) any potential for flammability, explosion, or reactivity of the substance;
- (f) appropriate emergency treatment;
- (g) the known proper conditions for safe use of and exposure to the substance;
- (h) procedures for cleanup of leaks and spills;
- (i) the name, phone number and address of the manufacturer of the hazardous substance; and
- (j) a written copy of all of the above information which shall be readily accessible in the area or areas in which the hazardous substance is used or handled.

Employees who have been routinely exposed to a hazardous substance prior to the effective date of Laws 1983, chapter 316 and who continue to be routinely exposed to that hazardous substance after the effective date of Laws 1983, chapter 316, shall be trained with respect to that hazardous substance within six months of the effective date of Laws 1983, chapter 316.

Training to update the information required to be provided under this subdivision shall be repeated at intervals no greater than one year.

Every employer shall maintain current information for training under this subdivision or for information requests by employees under section 182.654, subdivision 10.

This subdivision does not apply to any employer engaged in a farming operation.

This subdivision does not apply to any small business.

Any technically qualified individual may elect to participate in any training or update programs required to be provided under this subdivision to employees who are not technically qualified individuals.

Sec. 2. Minnesota Statutes 1983 Supplement, section 182.653, subdivision 4c, is amended to read:

Subd. 4c. For each harmful physical agent to which an employee may be routinely exposed, the employer's training program shall include the information required by the standard for that physical agent as determined by the commissioner, including but not limited to:

- (a) the name or names of the physical agent including any commonly used synonym;
- (b) the level, if any and if known, at which exposure to the physical agent has been determined to be safe according to standards adopted by the commissioner, or, if no standard has been adopted, according to guidelines established by competent professional groups including but not limited to the American Conference of Governmental Industrial Hygienists, the Center for Disease Control, the Bureau of Radiological Health, and the American National Standards Institute;
- (c) the known acute and chronic effects of exposure at hazardous levels;

- (d) the known symptoms of the effects;
- (e) appropriate emergency treatment;
- (f) the known proper conditions for safe use of and exposure to the physical agent;
- (g) the name, phone number and address, if appropriate, of the manufacturer of the harmful physical agent; and
- (h) a written copy of all of the above information which shall be readily accessible in the area or areas in which the harmful physical agent is present and where the employee may be exposed to the agent through use, handling or otherwise.

Employees who have been routinely exposed to a harmful physical agent prior to the effective date of Laws 1983, chapter 316 and who continue to be routinely exposed to that harmful physical agent after the effective date of Laws 1983, chapter 316, shall be trained with respect to that harmful physical agent within six months of the effective date of Laws 1983, chapter 316.

Training to update the information required to be provided under this subdivision shall be repeated at intervals no greater than one year.

Every employer shall maintain current information for training under this subdivision or for information requests by employees under section 182.654, subdivision 10.

This subdivision does not apply to any employer engaged in a farming operation.

Any technically qualified individual may elect to participate in any training or update programs required to be provided under this subdivision to employees who are not technically qualified individuals.

Sec. 3. Minnesota Statutes 1983 Supplement, section 182.653, subdivision 4f, is amended to read:

Subd. 4f. Each employer who operates a hospital or clinic shall provide training according to a program developed by the commissioner by rule with approval of the commissioner of health to its employees who are routinely exposed to an infectious agent. The training shall include the information required by the rule for that agent as developed by the commissioner and shall include, if known, names of infectious agents to which the employee is routinely exposed, proper techniques for the employee to avoid self-contamination, and symptoms and effects of contamination. Training shall be provided upon the initial assignment of the employee to a job where that person will be routinely exposed to an infectious agent. Existing inservice, hospital licensure or certification programs which the commissioner determines substantially comply with the rules adopted pursuant to this subdivision may be certified by the commissioner to satisfy all or a part of the rules. "Infectious agent" means a communicable bacterium, *rickettsia*, *parasites*, virus, or fungus determined by the commissioner by rule, with approval of the commissioner of health, which according to documented medical or scientific evidence causes substantial acute or chronic illness or permanent disability as a foreseeable and direct result of any routine exposure to the infectious agent. Infectious agent does not include an agent in or on the body of a

patient before diagnosis.

Infectious agent does not include an agent being developed or regularly utilized by a technically qualified individual in a research, medical research, medical diagnostic or medical educational laboratory or in a health care facility or in a clinic associated with a laboratory or health care facility, or in a pharmacy registered and licensed under chapter 151. The exemption in this clause does not include an infectious agent utilized in a laboratory that primarily provides a quality control analysis for a manufacturing process.

Employees who have been routinely exposed to an infectious agent prior to the effective date of Laws 1983, chapter 316 and who continue to be routinely exposed to that infectious agent after the effective date of Laws 1983, chapter 316, shall be trained with respect to that infectious agent within six months of the effective date of Laws 1983, chapter 316.

Training to update the information required to be provided under this subdivision shall be repeated at intervals no greater than one year.

Any technically qualified individual may elect to participate in any training or update programs required to be provided under this subdivision to employees who are not technically qualified individuals.

Sec. 4. Minnesota Statutes 1983 Supplement, section 182.654, subdivision 11, is amended to read:

Subd. 11. An employee acting in good faith has the right to refuse to work under conditions which the employee reasonably believes present an imminent danger of death or serious physical harm to the employee.

A reasonable belief of imminent danger of death or serious physical harm includes but is not limited to a reasonable belief of the employee that the employee has been assigned to work with a hazardous substance, harmful physical agent or infectious agent under conditions which are inconsistent with the training or information provided by the employer pursuant to section 182.653, subdivision 4b, clauses (g) or (h), section 182.653, subdivision 4c, clause (f), section 182.653, subdivision 4d, section 182.653, subdivision 4e, section 182.653, subdivision 4f, or section 182.654, subdivision 10.

An employer may not discriminate against an employee for a good faith refusal to perform assigned tasks if the employee has requested that the employer correct the hazardous conditions but the conditions remain uncorrected.

An employee who has refused in good faith to perform assigned tasks and who has not been reassigned to other tasks by the employer shall, in addition to retaining a right to continued employment, receive pay for the tasks which would have been performed if (1) the employee requests the commissioner to inspect and determine the nature of the hazardous condition, and (2) the commissioner determines that the employee, by performing the assigned tasks, would have been placed in imminent danger of death or serious physical harm; or (3) the employee requests the commissioner to inspect and determine if a hazardous condition exists, and (4) the commissioner determines that the employer has failed to provide the training required under section 182.653, subdivision 4b, 4c, 4d, 4e, or 4f prior to the employee's initial assignment to a workplace where the employee may be routinely exposed to

a hazardous substance or harmful physical agent and the employer has failed to provide the information required under section 182.653, subdivision 4b, 4c, 4d, 4e, or 4f after a request pursuant to section 182.654, subdivision 10 within a reasonable period of time, but not to exceed 24 hours, of the request.

Nothing in this subdivision shall give a technically qualified individual who elects to participate in the training required under section 182.653, subdivisions 4b, 4c, or 4f, the right to refuse to work as provided under this subdivision because his or her employer has failed to provide a training program required under those subdivisions."

Amend the title as follows:

Page 1, line 5, delete "subdivision" and insert "subdivisions 4b, 4c, and"

Page 1, line 5, before the period insert "and 182.654, subdivision 11"

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

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

S.F. No. 1224: A bill for an act relating to transportation; establishing a railroad passenger service study commission to study the feasibility and potential of expanded railroad passenger service within the state.

Reports the same back with the recommendation that the report from the Committee on Transportation, shown in the Journal for March 19, 1984, be amended to read:

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

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

S.F. Nos. 1854, 1857, 1868, 1881, 1887, 1904, 1912, 1937 and 1975 reports the same back with the recommendation that the bills be re-referred as follows:

S.F. Nos. 1854, 1857 and 1912 to the Committee on Transportation.

S.F. Nos. 1868 and 1904 to the Committee on Governmental Operations.

S.F. Nos. 1881 and 1887 to the Committee on Agriculture and Natural Resources.

S.F. No. 1937 to the Committee on Education.

S.F. No. 1975 to the Committee on Economic Development and Commerce.

Report adopted.

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

S.F. No. 1334: A bill for an act relating to transportation; allowing prepayment of state contractual obligations to governmental subdivisions under agreements for the construction, improvement, or maintenance of trunk highways; amending Minnesota Statutes 1982, section 16A.41, subdivision 1, and by adding a subdivision.

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

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

S.F. No. 1435: A bill for an act relating to motor vehicles; authorizing operation of farm truck with class C drivers' license by employee operating truck during harvest; amending Minnesota Statutes 1982, section 171.02, subdivision 2.

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

Page 1, line 24, after the first *"the"* insert *"first, continuous"* and delete *"farm to the"*

Page 1, line 25, delete the new language and insert *"place of production or on farm storage site to any other location within 50 miles of the place of the production or on farm storage site"*

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

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

S.F. No. 1699: A bill for an act relating to transportation; defining terms; regulating carriers; providing for the classification of explosives; amending Minnesota Statutes 1982, sections 221.011, subdivision 13; 221.296, subdivision 6; 299F.19, subdivisions 1 and 2; Minnesota Statutes 1983 Supplement, sections 221.011, subdivisions 3 and 21; 221.021; 221.025; 221.031, subdivisions 1, 2, 3, 5, and 6; 221.071, subdivision 1; 221.121, subdivisions 1 and 5; 221.185, subdivisions 1, 2, 3, 4, 5, and by adding subdivisions; 221.221, subdivision 4; 221.81, subdivision 1; proposing new law coded in Minnesota Statutes, chapter 221; repealing Minnesota Statutes 1982, section 169.76; Minnesota Statutes 1983 Supplement, sections 221.031, subdivision 4; and 221.185, subdivisions 6, 7, and 8.

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

Page 2, line 28, delete *"vehicles"* and insert *"a school bus"*

Page 5, after line 28, insert:

"(c) The requirements as to driver qualifications and maximum hours of service for drivers do not apply to private carriers who are (1) public utilities as defined in section 216B.02, subdivision 4; (2) cooperative electric associations organized under chapter 308; (3) telephone companies as defined in section 237.01, subdivision 2; or (4) who are engaged in the transportation of

construction materials, tools and equipment from shop to job site or job site to job site, for use by the private carrier in the new construction, remodeling, or repair of buildings, structures or their appurtenances."

Page 5, line 29, delete "(c)" and insert "(d)"

Page 6, delete section 9

Page 6, after line 29, insert:

"The vehicle identification rule of the commissioner may not be more stringent than the marking requirements imposed on private carriers by the United States department of transportation under 49 C.F.R., section 397.21, clauses (b) and (c)."

Pages 8 to 11, delete sections 12 and 13

Page 12, after line 22, insert:

"Sec. 13. Minnesota Statutes 1983 Supplement, section 221.131, subdivision 1, is amended to read:

Subdivision 1. [PERMIT RENEWAL.] Permits issued under section 221.121 are effective for a 12-month period. Each permit must be renewed annually and each permit holder shall have one annual renewal date encompassing all of the permits held by him. ~~Except as provided in section 221.185, the board shall consider a petition for reinstatement of a revoked or suspended permit upon the same procedure required for an initial petition."~~

Page 14, line 35, delete everything after the period

Page 14, delete line 36

Page 15, delete lines 1 and 2

Page 17, line 31, delete "28" and insert "26"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 8, delete "5,"

Page 1, line 9, delete "221.071, subdivision 1;" and delete "subdivisions 1"

Page 1, line 10, delete the first "and" and insert "subdivision"

Page 1, line 10, after the semicolon, insert "221.131, subdivision 1;"

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

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

S.F. No. 1759: A bill for an act relating to motor vehicles; extending the period during which automobile registration taxes may be paid; amending Minnesota Statutes 1982, section 168.31, subdivision 1.

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

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1982, section 168.09, subdivision 2, is amended to read:

Subd. 2. When a motor vehicle registered in Minnesota, has during the calendar year for which it is so registered, been re-registered for the following year, the display on such motor vehicle of the plates issued for such motor vehicle on its re-registration for the following year shall on and after November 15 of the calendar year in which it was so re-registered constitute compliance with subdivision 1 requiring display of plates except as provided in ~~subdivision~~ subdivisions 3 and 4.

Sec. 2. Minnesota Statutes 1982, section 168.09, subdivision 3, is amended to read:

Subd. 3. Plates or other insignia issued for a motor vehicle registered under the provisions of section 168.187 for a calendar year shall be displayed on the motor vehicle not later than 12:01 a.m. on March 2 of the year unless extended by the registrar for the period of time required for the issuance of the new plates or insignia. Plates or other insignia issued for a self-propelled motor vehicle registered for over 27,000 pounds except a motor vehicle registered under the provision of sections 168.017 and 168.187 shall be displayed on the vehicle not later than 12:01 a.m. on March 2 of the year, nor earlier than 12:01 a.m. on February 15 of the year, unless otherwise extended by the registrar for the period of time required for the issuance of the new plates or insignia. Plates or other insignia issued for a self-propelled vehicle registered for 27,000 pounds or less and all other motor vehicles except those registered under the provisions of section 168.017 or 168.187 shall be displayed not later than 12:01 a.m. on March 2 of the year, and not earlier than ~~November 15~~ January 1 of the preceding year unless otherwise extended by the registrar for the period of time required for the issuance of the new plates or insignia. The commissioner of public safety shall register all motor vehicles with the exception of those registered under sections 168.017 or 168.187 for a period of 14 months for the registration year 1978 to implement the provisions of this subdivision. The registration year for all vehicles as provided in this section shall be from March 1 to the last day of February for 1979 and succeeding years.

Sec. 3. Minnesota Statutes 1982, section 168.10, subdivision 1, is amended to read:

Subdivision 1. [APPLICATION.] Except as provided in subdivisions 1a, 1b, 1c, 1d and 1g, every owner of any motor vehicle in this state, not exempted by section 168.012 or 168.26, shall as soon as ownership of a motor vehicle is acquired and annually thereafter during the period ~~November 15 to March 1 following; both dates inclusive provided in section 168.31,~~ file with the commissioner of public safety on a blank provided by him a listing for taxation and application for the registration of such vehicle, stating the first, middle and last names, the dates of birth, and addresses of all owners thereof who are natural persons, the full names and addresses of all other owners, the name and address of the person from whom purchased, make of motor vehicle, year and number of the model, manufacturer's identification number or serial number, type of body, the weight of the vehicle in pounds, for trailers only, its rated load carrying capacity and for buses only, its seating capacity,

and such other information as the commissioner may require. Any false statement wilfully and knowingly made in regard thereto shall be deemed perjury and punished accordingly. The listing and application for registration by dealers or manufacturers' agents within the state, of motor vehicles received for sale or use within the state shall be accepted as compliance with the requirements of this chapter, imposed upon the manufacturer.

Registration shall be refused a motor vehicle if the original identification or serial number has been destroyed, removed, altered, covered or defaced. However, if the commissioner is satisfied on the sworn statements of the owner or owners or such other persons as he may deem advisable that the applicant is the legal owner, a special identification number in the form prescribed by the commissioner shall be assigned to the motor vehicle. When it has been determined that the number had been affixed to such vehicle in a manner prescribed by the commissioner, the vehicle may thereafter be registered in the same manner as other motor vehicles. In the case of a new or rebuilt motor vehicle manufactured or assembled without an identification or serial number, the commissioner may assign an identification number to the motor vehicle in the same manner as prescribed heretofore.

Sec. 4. Minnesota Statutes 1982, section 168.31, subdivision 1, is amended to read:

Subdivision 1. [TIME PAYABLE.] The tax required under this chapter to be paid upon a motor vehicle for each calendar year becomes due when the vehicle first uses the public streets or highways in the state, and upon January 1 each year thereafter, except those vehicles which are taxed under section 168.017 and vehicles registered under 168.09, subdivision 3. Taxes due upon January 1 become payable upon November 15 preceding the calendar year for which they are assessed ~~except those upon motor vehicles which shall first use the public streets and highways of this state between November 15 and the next following December 31.~~ The tax required to register vehicles for the registration year March 1 to the last day of February is due on March 1 and payable November 15 January 1 preceding. ~~The tax that becomes due January 1 next following upon those motor vehicles becomes payable at the time the tax for the current year becomes payable. Taxes due upon January 1 become delinquent after January 10 unless paid. Taxes due when the vehicle first uses the public streets or highways in the state shall become delinquent upon the expiration of seven days after the tax became due unless paid.~~ The tax required to register vehicles under the provisions of section 168.017 is due the first day of the month commencing the 12 month registration period and payable during the 45 90 days preceding the due date.

Sec. 5. [REPEALER.]

Minnesota Statutes 1982, section 168.31, subdivision 3, is repealed."

Delete the title and insert:

"A bill for an act relating to motor vehicles; changing display period for license plates on certain motor vehicles; changing period of time when registration tax is payable for certain motor vehicles; abolishing the penalty for late or delayed registration or payment of the registration tax; amending Minnesota Statutes 1982, sections 168.09, subdivisions 2 and 3; 168.10, subdivision 1; and 168.31, subdivision 1; repealing Minnesota Statutes 1982,

section 168.31, subdivision 3.”

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

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

S.F. No. 1529: A bill for an act relating to the city of St. Cloud; giving the city the powers of a port authority.

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

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

S.F. No. 1743: A bill for an act relating to the city of Hibbing; fixing the term of the mayor.

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

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

S.F. No. 1558: A bill for an act relating to sheriffs; authorizing the removal of certain deputies and employees at pleasure; amending Minnesota Statutes 1982, section 387.14.

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

Page 1, line 17, delete “*or other law to the contrary*”

And when so amended the bill be re-referred to the Committee on Veterans and General Legislation without recommendation. Amendments adopted. Report adopted.

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

S.F. No. 1835: A bill for an act relating to metropolitan government; allowing the mosquito control district to take certain actions; amending Minnesota Statutes 1982, section 473.704, subdivision 17.

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

Page 1, line 24, strike “*spray with*” and insert “*apply*”

Page 2, line 1, after the period, insert “*The commission shall give reasonable notification to the governing body of the local unit of government prior to applying insecticides outside of the district on land located within the jurisdiction of the local unit of government.*”

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. 1581: A bill for an act relating to crimes; traffic regulations; requiring revocation of a person's driver's license until his or her 19th birthday upon violation of a traffic law relating to the possession or consumption of alcohol; amending Minnesota Statutes 1982, sections 169.121, subdivision 4; 169.122, subdivision 4; 169.123, subdivision 4; 171.16, subdivision 5; and 171.17; Minnesota Statutes 1983 Supplement, section 169.123, subdivision 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 1983 Supplement, section 169.121, subdivision 3, is amended to read:

Subd. 3. [CRIMINAL PENALTIES.] A person who violates this section or an ordinance in conformity with it is guilty of a misdemeanor.

The following persons are guilty of a gross misdemeanor:

(a) a person who violates this section or an ordinance in conformity with it within five years of a prior conviction under this section, section 169.129, or an ordinance or statute from another state in conformity with it; ~~and~~

(b) a person who violates this section or an ordinance in conformity with it within ten years of two or more prior convictions under this section, section 169.129, or an ordinance or statute from another state in conformity with it; ~~and~~

(c) a person who violates this section or an ordinance in conformity with it within five years of a prior juvenile adjudication under this section, section 169.129, or an ordinance or statute from another state in conformity with either of them.

The attorney in the jurisdiction in which the violation occurred who is responsible for prosecution of misdemeanor violations of this section shall also be responsible for prosecution of gross misdemeanor violations of this section.

Sec. 2. Minnesota Statutes 1982, section 169.121, subdivision 4, is amended to read:

Subd. 4. [PENALTIES.] A person convicted of violating this section shall have his driver's license or operating privileges revoked by the commissioner of public safety as follows:

(a) First offense: not less than 30 days;

(b) Second offense in less than five years: not less than 90 days and until the court has certified that treatment or rehabilitation has been successfully completed where prescribed in accordance with section 169.126;

(c) Third offense in less than five years: not less than one year, together with denial under section 171.04, clause (8), until rehabilitation is estab-

lished in accordance with standards established by the commissioner;

(d) Fourth or subsequent offense on the record: not less than two years, together with denial under section 171.04, clause (8), until rehabilitation is established in accordance with standards established by the commissioner.

If the person convicted of violating this section is under the age of 19 years, the commissioner of public safety shall revoke the offender's driver's license or operating privileges until the offender reaches the age of 19 years or for the appropriate period of time under clauses (a) to (d) for the offense committed, whichever is greater.

Whenever department records show that the violation involved personal injury or death to any person, not less than 90 additional days shall be added to the base periods provided above.

Any person whose license has been revoked pursuant to section 169.123 as the result of the same incident is not subject to the mandatory revocation provisions of clause (a) or (b).

Sec. 3. Minnesota Statutes 1982, section 169.122, subdivision 4, is amended to read:

Subd. 4. Whoever violates the provisions of subdivisions 1 to 3 is guilty of a misdemeanor. *Any person under the age of 19 years convicted of violating this section shall have his or her driver's license or operating privileges revoked by the commissioner of public safety for a period of six months or until he or she reaches the age of 19 years, whichever is greater.*

Sec. 4. Minnesota Statutes 1983 Supplement, section 169.123, subdivision 2, is amended to read:

Subd. 2. [IMPLIED CONSENT; CONDITIONS; ELECTION AS TO TYPE OF TEST.] (a) Any person who drives, operates, or is in physical control of a motor vehicle within this state consents, subject to the provisions of this section and section 169.121, to a chemical test of his blood, breath, or urine for the purpose of determining the presence of alcohol or a controlled substance. The test shall be administered at the direction of a peace officer. The test may be required of a person when an officer has reasonable and probable grounds to believe the person was driving, operating, or in physical control of a motor vehicle in violation of section 169.121 and one of the following conditions exist: (1) the person has been lawfully placed under arrest for violation of section 169.121, or an ordinance in conformity with it; or (2) the person has been involved in a motor vehicle accident or collision resulting in property damage, personal injury, or death; or (3) the person has refused to take the screening test provided for by section 169.121, subdivision 6; or (4) the screening test was administered and recorded an alcohol concentration of 0.10 or more. No action may be taken against the person for declining to take a direct blood test, if offered, unless an alternative test was offered.

(b) At the time a chemical test specimen is requested, the person shall be informed:

(1) that if testing is refused, the person's right to drive will be revoked for a minimum period of six months *or, if the person is under the age of 19 years, for a period of six months or until he or she reaches the age of 19 years,*

whichever is greater;

(2) that if a test is taken and the results indicate that the person is under the influence of alcohol or a controlled substance, the person will be subject to criminal penalties and the person's right to drive may be revoked for a minimum period of 90 days *or, if the person is under the age of 19 years, for a period of six months or until he or she reaches the age of 19 years, whichever is greater;*

(3) that if a test is taken by a person under the age of 19 years and the results indicate an alcohol concentration of more than 0.05, the person's right to drive will be revoked for a period of six months or until he or she reaches the age of 19 years, whichever is greater;

~~(3)~~(4) that the person has a right to consult with an attorney but that this right is limited to the extent that it cannot unreasonably delay administration of the test or the person will be deemed to have refused the test;

~~(4)~~(5) that after submitting to testing, the person has the right to have additional tests made by a person of his own choosing; and

~~(5)~~(6) that if he refuses to take a test, the refusal will be offered into evidence against him at trial.

Sec. 5. Minnesota Statutes 1982, section 169.123, subdivision 4, is amended to read:

Subd. 4. [REFUSAL, CONSENT TO PERMIT TEST; REVOCATION OF LICENSE.] If a person refuses to permit chemical testing, none shall be given, but the peace officer shall report the refusal to the commissioner of public safety and the authority having responsibility for prosecution of misdemeanor offenses for the jurisdiction in which the acts occurred. If a person submits to chemical testing and the test results indicate an alcohol concentration of 0.10 or more, the results of the test shall be reported to the commissioner of public safety and to the authority having responsibility for prosecution of misdemeanor offenses for the jurisdiction in which the acts occurred.

Upon certification by the peace officer that there existed reasonable and probable grounds to believe the person had been driving, operating, or in physical control of a motor vehicle while under the influence of alcohol or a controlled substance and that the person refused to submit to chemical testing, the commissioner of public safety shall revoke the person's license or permit to drive, or his nonresident operating privilege, for a period of six months. *If the person refusing to submit to chemical testing is under the age of 19 years, the commissioner shall revoke the person's license or permit to drive, or his or her nonresident operating privilege, for a period of six months or until the person reaches the age of 19 years, whichever is greater.*

Except as otherwise provided in this subdivision, upon certification by the peace officer that there existed reasonable and probable grounds to believe the person had been driving, operating or in physical control of a motor vehicle while under the influence of alcohol or a controlled substance and that the person submitted to chemical testing and the test results indicate an alcohol concentration of 0.10 or more, the commissioner of public safety shall revoke the person's license or permit to drive, or his nonresident operating

privilege, for a period of 90 days. *Upon certification by the peace officer that there existed reasonable and probable grounds to believe the person had been driving, operating, or in physical control of a motor vehicle while under the influence of alcohol or a controlled substance, that the person submitted to chemical testing and that the following conditions exist, the commissioner of public safety shall revoke the person's license or permit to drive, or his nonresident operating privilege, for a period of six months or until the person reaches the age of 19 years, whichever is greater:*

- (1) *the person was under the age of 19 years at the time of the testing; and*
- (2) *the test results indicate an alcohol concentration of more than 0.05.*

If the person is a resident without a license or permit to operate a motor vehicle in this state, the commissioner of public safety shall deny to the person the issuance of a license or permit for the same period after the date of the alleged violation as provided herein for revocation, subject to review as hereinafter provided.

Sec. 6. Minnesota Statutes 1982, section 169.123, subdivision 5a, is amended to read:

Subd. 5a. [PEACE OFFICER AGENT FOR NOTICE OF REVOCATION.] On behalf of the commissioner of public safety a peace officer offering a chemical test or directing the administration of a chemical test shall serve immediate notice of intention to revoke and of revocation : (a) on a person who refuses to permit chemical testing; or (b) on a person who submits to a chemical test the results of which indicate an alcohol concentration of 0.10 or more; or (c) *on a person who is under 19 years of age who submits to a chemical test the results of which indicate an alcohol concentration of more than 0.05.* The officer shall take the license or permit of the driver, if any, and issue a temporary license effective only for 7 days. The peace officer shall send the person's driver's license to the commissioner of public safety along with the certificate required by subdivision 4.

Sec. 7. Minnesota Statutes 1983 Supplement, section 169.123, subdivision 6, is amended to read:

Subd. 6. [HEARING.] A hearing under this section shall be before a municipal or county judge, in any county in the judicial district where the alleged offense occurred. The hearing shall be to the court and may be conducted at the same time and in the same manner as hearings upon pre-trial motions in the criminal prosecution under section 169.121, if any. The hearing shall be recorded. The commissioner of public safety shall appear and be represented by the attorney general or through the prosecuting authority for the jurisdiction involved.

The hearing shall be held at the earliest practicable date, and in any event no later than 60 days following the filing of the petition for review. The judicial district administrator shall establish procedures to ensure efficient compliance with the provisions of this subdivision. To accomplish this, the administrator may, whenever possible, consolidate and transfer review hearings among the county courts within the judicial district.

The scope of the hearing shall be limited to the issues of:

- (1) whether the peace officer had reasonable and probable grounds to be-

lieve the person was driving, operating, or in physical control of a motor vehicle while under the influence of alcohol or a controlled substance, and whether the person was lawfully placed under arrest for violation of section 169.121, or the person was involved in a motor vehicle accident or collision resulting in property damage, personal injury or death, or the person refused to take a screening test provided for by section 169.121, subdivision 6, or the screening test was administered and recorded an alcohol concentration of 0.10 or more; and

(2) whether at the time of the request for the test the peace officer informed the person of his rights and the consequences of taking or refusing the test as required by subdivision 2; and

(3) ~~either~~ (a) whether the person refused to permit the test; or (b) whether a test was taken and the test results indicated an alcohol concentration of 0.10 or more at the time of testing; or (c) *whether a test was taken by a person under the age of 19 years and the test results indicate an alcohol concentration of more than 0.05*; and whether the testing method used was valid and reliable; and whether the test results were accurately evaluated.

It shall be an affirmative defense for the petitioner to prove that, at the time of the refusal, his refusal to permit the test was based upon reasonable grounds.

Certified or otherwise authenticated copies of laboratory or medical personnel reports, records, documents, licenses and certificates shall be admissible as substantive evidence.

The court shall order either that the revocation be rescinded or sustained and forward the order to the commissioner of public safety. The court shall file its order within 14 days following the hearing. If the revocation is sustained, the court shall also forward the person's driver's license or permit to the commissioner of public safety for his further action if the license or permit is not already in the commissioner's possession.

Sec. 8. Minnesota Statutes 1982, section 171.16, subdivision 5, is amended to read:

Subd. 5. [JUVENILE COURT.] When any judge of a juvenile court, or any of its duly authorized agents, shall determine formally or informally that any person under the age of 18 years has violated any of the provisions of any law of this state, or ordinances of political subdivisions thereof, regulating the operation of motor vehicles on streets and highways, except parking violations, *and except traffic offenses involving a violation of section 169.121 or 169.122*, such judge, or duly authorized agent, shall immediately report such determination to the department and may recommend the suspension of the driver's license of such person, and the commissioner is hereby authorized to suspend such license, without a hearing.

Sec. 9. Minnesota Statutes 1982, section 171.17, is amended to read:

171.17 [REVOCATION.]

The department shall forthwith revoke the license of any driver upon receiving a record of such driver's conviction of any of the following offenses:

(1) Manslaughter or criminal negligence resulting from the operating of a

motor vehicle;

(2) Any violation of section 169.121;

(3) Any felony in the commission of which a motor vehicle was used;

(4) Failure to stop and disclose identity and render aid, as required under the laws of this state, in the event of a motor vehicle accident resulting in the death or personal injury of another;

(5) Perjury or the making of a false affidavit or statement to the department under any law relating to the ownership or operation of a motor vehicle;

(6) Except as this section otherwise provides, conviction, plea of guilty, or forfeiture of bail not vacated, upon three charges of violating, within a period of 12 months any of the provisions of chapter 169, or of the rules, regulations, or municipal ordinances enacted in conformance therewith for which the accused may be punished upon conviction by imprisonment;

(7) Conviction of an offense in another state which, if committed in this state, would be grounds for the revocation of the driver's license;

(8) *Any violation of section 169.122, if the driver is under the age of 19 years.*

When any judge of a juvenile court, or any of its duly authorized agents, shall determine, formally or informally, that any person under the age of 18 years has committed any offense defined in this section, such judge, or duly authorized agent, shall immediately report such determination to the department, and the commissioner shall immediately revoke the license of that person.

Upon revoking the license of any person, as hereinbefore in this chapter authorized, the department shall immediately notify the licensee, in writing, by depositing in the United States post office a notice addressed to the licensee at his last known address, with postage prepaid thereon.

Sec. 10. Minnesota Statutes 1982, section 260.121, subdivision 3, is amended to read:

Subd. 3. ~~Except~~ When a child *under the age of 16 years* is alleged to have committed a ~~minor~~ traffic offense, as defined in section 260.193, subdivision 1, ~~clause (e)~~; if *and* it appears at any stage of the proceeding that ~~a~~ *the* child ~~before the court~~ is a resident of another state, the court may invoke the provisions of the interstate compact on juveniles or, if it is in the best interests of the child or the public to do so, the court may place the child in the custody of his parent, guardian, or custodian, if the parent, guardian, or custodian agree to accept custody of the child and return him to their state.

Sec. 11. Minnesota Statutes 1982, section 260.193, subdivision 1, is amended to read:

Subdivision 1. ~~(a) For purposes of this section, the following terms have the meanings given them.~~

(b) ~~"Major traffic offense"~~ includes any violation of a state or local traffic law, ordinance, or regulation, or a federal, state, or local water traffic law not included within the provisions of clause (e).

(c) ~~"Minor traffic offense"~~ means a violation of a state or local traffic law;

~~ordinance, or regulation, or a federal, state, or local water traffic law constituting an offense punishable only by fine of not more than \$100.~~

Sec. 12. Minnesota Statutes 1982, section 260.193, subdivision 2, is amended to read:

Subd. 2. A child *under the age of 16 years* who commits a ~~major~~ traffic offense shall be adjudicated a "juvenile highway traffic offender" or a "juvenile water traffic offender," as the case may be, and shall not be adjudicated delinquent, unless, as in the case of any other child alleged to be delinquent, a petition is filed in the manner provided in section 260.131, summons issued, notice given, a hearing held, and the court finds as a further fact that the child is also delinquent within the meaning and purpose of the laws relating to juvenile courts.

Sec. 13. Minnesota Statutes 1982, section 260.193, subdivision 3, is amended to read:

Subd. 3. ~~Except as provided in subdivision 4,~~ A child who commits a ~~minor~~ traffic offense and at the time of the offense was at least 16 years old shall be subject to the laws and court procedures controlling adult traffic violators and shall not be under the jurisdiction of the juvenile court. When a child is alleged to have committed a ~~minor~~ traffic offense and is at least 16 years old at the time of the offense, the peace officer making the charge shall follow the arrest procedures prescribed in section 169.91 and shall make reasonable effort to notify the child's parent or guardian of the nature of the charge.

Any child who is charged with or convicted of a traffic offense and who was at least 16 years old at the time of the offense may be confined only as permitted by section 636.07, subdivision 2.

Sec. 14. Minnesota Statutes 1982, section 260.193, subdivision 4, is amended to read:

Subd. 4. The juvenile court shall have original jurisdiction if the child *who was at least 16 years old at the time of the offense* is alleged to have committed both ~~major and minor~~ a traffic ~~offenses~~ offense and a nontraffic offense in the same behavioral incident. *If the county attorney dismisses the nontraffic offense, the child shall be subject to the laws and court proceedings controlling adult traffic offenders and shall not be under the jurisdiction of the juvenile court.*

Sec. 15. Minnesota Statutes 1982, section 260.193, subdivision 5, is amended to read:

Subd. 5. When a child *under the age of 16 years* is alleged to have committed a ~~major~~ traffic offense, the peace officer making the charge shall file a signed copy of the notice to appear, as provided in section 169.91, with the juvenile court of the county in which the violation occurred, and the notice to appear has the effect of a petition and gives the juvenile court jurisdiction. Filing with the court a notice to appear containing the name and address of the child *under the age of 16 years* allegedly committing a ~~major~~ traffic offense and specifying the offense charged, the time and place of the alleged violation shall have the effect of a petition and give the juvenile court jurisdiction. Any reputable person having knowledge of a child *under the age of 16 years* who commits a ~~major~~ traffic offense may petition the juvenile court

in the manner provided in section 260.131. Whenever a notice to appear or petition is filed alleging that a child *under the age of 16 years* is a juvenile highway traffic offender or a juvenile water traffic offender, the court shall summon and notify the persons required to be summoned or notified as provided in sections 260.135 and 260.141. However, it is not necessary to (1) notify more than one parent, or (2) publish any notice, or (3) personally serve outside the state.

Sec. 16. Minnesota Statutes 1983 Supplement, section 260.193, subdivision 6, is amended to read:

Subd. 6. Before making a disposition of any child found to be a juvenile ~~major~~ traffic offender, the court shall obtain from the department of public safety information of any previous traffic violation by this juvenile. In the case of a juvenile water traffic offender, he shall obtain from the office where the information is now or hereafter may be kept information of any previous water traffic violation by the juvenile.

Sec. 17. Minnesota Statutes 1982, section 260.193, subdivision 7, is amended to read:

Subd. 7. If after a hearing the court finds that the welfare of a juvenile ~~major~~ traffic offender or a juvenile water traffic offender or the public safety would be better served under the laws controlling adult traffic violators, the court may transfer the case to any court of competent jurisdiction presided over by a salaried judge if there is one in the county. The juvenile court transfers the case by forwarding to the appropriate court the documents in the court's file together with an order to transfer. The court to which the case is transferred shall proceed with the case as if the jurisdiction of the juvenile court had never attached.

Sec. 18. Minnesota Statutes 1982, section 260.193, subdivision 8, is amended to read:

Subd. 8. If the juvenile court finds that the child is a juvenile ~~major~~ highway or water traffic offender, it may make any one or more of the following dispositions of the case:

- (a) Reprimand the child and counsel with the child and his parents;
- (b) Continue the case for a reasonable period under such conditions governing the child's use and operation of any motor vehicles or boat as the court may set;
- (c) Require the child to attend a driver improvement school if one is available within the county;
- (d) Recommend to the department of public safety suspension of the child's driver's license as provided in section 171.16;
- (e) If the child is found to have committed two moving highway traffic violations or to have contributed to a highway accident involving death, injury, or physical damage in excess of \$100, the court may recommend to the commissioner of public safety or to the licensing authority of another state the cancellation of the child's license until he reaches the age of 18 years, and the commissioner of public safety is hereby authorized to cancel the license without hearing. At any time before the termination of the period of can-

cellation, the court may, for good cause, recommend to the commissioner of public safety, or to the licensing authority of another state, that the child's license be ~~returned to him~~ *reinstated*, and the commissioner of public safety is authorized to ~~return the license~~ *reinstate the privileges*;

(f) Place the child under the supervision of a probation officer in his own home under conditions prescribed by the court including reasonable rules relating to his operation and use of motor vehicles or boats directed to the correction of his driving habits;

(g) Require the child to pay a fine of up to \$500. The court shall order payment of the fine in accordance with a time payment schedule which shall not impose an undue financial hardship on the child.

Sec. 19. Minnesota Statutes 1982, section 260.193, is amended by adding a subdivision to read:

Subd. 11. [INCARCERATION EXPENSES.] The county in which the offense occurred shall pay any county home school or detention facility costs associated with the detention of any child under the age of 18 years where the detention is due to a traffic offense.

Sec. 20. Minnesota Statutes 1982, section 340.035, subdivision 1, is amended to read:

Subdivision 1. It is unlawful for any:

(1) Licensee or his employee to permit any person under the age of 19 years to consume non-intoxicating malt liquor on the licensed premises ~~except as provided in paragraph (5)~~;

(2) Person other than the parent or legal guardian to procure non-intoxicating malt liquor for any person under the age of 19 years;

(3) Person to induce a person under the age of 19 years to purchase or procure non-intoxicating malt liquor;

(4) Person under the age of 19 years to misrepresent his age for the purpose of obtaining non-intoxicating malt liquor;

(5) ~~Person under the age of 19 years to consume any non-intoxicating malt liquor unless in the company of his parent or guardian ;~~

(6) Person under the age of 19 years to *consume or possess with intent to consume* any non-intoxicating malt liquor, ~~with intent to consume it~~ at a place other than the household of his parent or guardian.

Sec. 21. Minnesota Statutes 1982, section 636.07, is amended to read:

636.07 [CARE AND CUSTODY OF MINORS.]

Subdivision 1. [GENERALLY.] Every sheriff or other person having charge of a minor under the age of 18 years, chargeable with any crime, shall provide a separate place of confinement for him, and under no circumstances place him with grown-up prisoners. Every minor while in confinement shall be provided with good reading matter, and his relatives and friends likely to exert a good influence over him shall at all reasonable times be permitted to visit him.

Subd. 2. [MINOR TRAFFIC OFFENDERS.] A minor who is alleged to

have committed a traffic offense and who is subject to the laws and court procedures controlling adult traffic offenders pursuant to section 260.193, subdivision 3, may be detained prior to trial only in a secure detention facility as defined in section 260.015, subdivision 16, and only if pretrial detention is otherwise authorized by statute or rule.

A minor who is convicted of a traffic offense under the laws and court procedures controlling adult traffic offenders and who is sentenced to incarceration may be confined only in a county home school or a facility maintained or licensed by the commissioner of corrections for the detention or disposition of juveniles.

Sec. 22. [EFFECTIVE DATE.]

Sections 1 to 21 are effective August 1, 1984, and apply to offenses committed on or after that date."

Delete the title and insert:

"A bill for an act relating to crimes; requiring driver's license revocation of any person under the age of 19 upon violation of a traffic law relating to possession or consumption of alcohol and if found driving a motor vehicle while under the influence of an alcohol concentration of more than 0.05; providing for enhanced penalties for adults convicted of driving while under the influence of alcohol or a controlled substance if there are prior similar juvenile adjudications; providing for adjudication by the municipal or county court of certain juvenile traffic offenses; prohibiting persons under 19 years of age from consuming or possessing, with intent to consume, nonintoxicating malt liquor at a place other than his parent's or guardian's household; imposing penalties; amending Minnesota Statutes 1982, sections 169.121, subdivision 4; 169.122, subdivision 4; 169.123, subdivisions 4 and 5a; 171.16, subdivision 5; 171.17; 260.121, subdivision 3; 260.193, subdivisions 1, 2, 3, 4, 5, 7, and 8, and by adding a subdivision; 340.035, subdivision 1; and 636.07; and Minnesota Statutes 1983 Supplement, sections 169.121, subdivision 3; 169.123, subdivisions 2 and 6; and 260.193, subdivision 6."

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

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

H.F. No. 1485: A bill for an act relating to towns; providing for the election and term of office for the town clerk and treasurer; amending Minnesota Statutes 1982, section 367.03, subdivision 1.

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

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

S.F. No. 1620: A bill for an act relating to housing; creating a demonstration program for temporary housing in the department of economic security; limiting the scope of the temporary housing program in the housing finance

agency; appropriating money; amending Minnesota Statutes 1982, section 462A.05, subdivision 20; proposing new law coded in Minnesota Statutes, chapter 268.

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

Page 4, after line 9, insert:

"Subd. 10. [RULES.] The commissioner may adopt rules necessary to implement this section without complying with the requirements of chapter 14.

Subd. 11. [PROGRAM COORDINATION.] The commissioner and the executive director of the housing finance agency shall cooperate in the design and implementation of the temporary housing demonstration program."

Page 4, line 10, delete "10" and insert "12"

Page 4, line 31, before "a" insert "less than"

Page 5, after line 1, insert:

"Sec. 3. [REPORT.]

By March 15, 1985, the housing finance agency shall report to the legislature on the temporary housing demonstration program."

Page 5, line 10, delete "This"

Page 5, delete line 11

Page 5, line 13, delete "3" and insert "4"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 4, delete "limiting" and insert "clarifying" and delete "scope" and insert "definition"

Page 1, line 5, after the semicolon, insert "requiring a report to the legislature;"

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

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

S.F. No. 1295: A bill for an act relating to housing; authorizing the Minnesota housing finance agency to establish and maintain an assisted rental program for residential housing; appropriating money; amending Minnesota Statutes 1982, sections 462A.05, by adding a subdivision; 462A.21, by adding a subdivision; proposing new law coded in Minnesota Statutes, chapter 462A.

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 462A.05, is amended by adding a subdivision to read:

Subd. 24. [LOANS TO SPONSORS OF RESIDENTIAL HOUSING.] *The agency may make or participate in the making of loans to sponsors in conjunction with the construction or substantial rehabilitation of multi-unit residential housing for rental occupancy by persons and families of low and moderate income. The proceeds of the loans must be used to reduce rent payments that would otherwise be payable by persons and families of low and moderate income. The loans may be insured or uninsured, with or without interest, and repayable over a period of time as the agency deems advisable, not to exceed 30 years. In making loans the agency shall determine the appropriate security for the repayment of the loan. The loans may only be in addition to, in combination with, and subordinate to long-term mortgage loans made by the agency. The loan funds may be disbursed to sponsors in a single installment or periodic installments by the agency or its designated agent. To provide for the long-term affordability of all or a portion of the housing to persons and families of low and moderate income, the agency may defer payments of principal and interest on the loans for a period of time as the agency deems advisable. No loan may be made unless the agency determines that the loan will make all or a portion of the housing more affordable for persons and families of low and moderate income. The agency may enter into agreements with sponsors of multi-unit residential housing for rental occupancy to evidence its commitment to make or participate in making the loans. Agreements entered into by the agency must contain terms and provisions as the agency deems advisable, including but not limited to, terms and provisions (a) that obligate the sponsor to make available all or a portion of the housing to persons and families of low and moderate income; (b) that grant the agency the right to terminate the agreement if the sponsor commits a breach of the agreement; or (c) that grant the agency the right to declare the unpaid principal and accrued interest on loans immediately due and payable upon a breach of the agreement by the sponsor.*

Sec. 2. Minnesota Statutes 1982, section 462A.21, is amended by adding a subdivision to read:

Subd. 13. [LOANS TO SPONSORS OF RESIDENTIAL HOUSING.] *It may make or participate in the making of loans under section 1 to sponsors of multi-unit residential housing for rental occupancy by persons and families of low and moderate income.*

Sec. 3. [APPROPRIATION.]

The sum of \$..... is appropriated from the general fund to the housing development fund for loans to sponsors of residential housing.

Sec. 4. [EFFECTIVE DATE.]

Sections 1 to 3 are effective July 1, 1984.”

Amend the title as follows:

Page 1, line 6, after the semicolon, insert “and”

Page 1, line 7, delete everything after “subdivision”

Page 1, line 8, delete everything before the period

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

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

S.F. No. 1523: A bill for an act relating to energy; prohibiting public utilities from establishing large volume contract service rates; amending Minnesota Statutes 1982, section 216B.07.

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

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1982, section 216B.16, is amended by adding a subdivision to read:

Subd. 6c. [LARGE VOLUME CONTRACTS.] If the commission allows a public utility to establish a special rate schedule for large volume contract services for sales of natural gas, the commission shall not allow the utility to retroactively or prospectively allocate the resulting unrecovered costs to any class of ratepayers of which the large volume contract service customer is not a member.

Sec. 2. [EFFECTIVE DATE.]

Section 1 is effective the day following final enactment."

Delete the title and insert:

"A bill for an act relating to energy; prohibiting public utilities from recovering revenues lost under large volume contracts from certain ratepayers; amending Minnesota Statutes 1982, section 216B.16, by adding a subdivision."

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

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

S.F. No. 1508: A bill for an act relating to commerce; manufactured homes; clarifying provisions relating to manufactured home safety features; amending Minnesota Statutes 1983 Supplement, section 327C.07, subdivisions 3a and 8.

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

Page 1, after line 7, insert:

"Section 1. Minnesota Statutes 1983 Supplement, section 327C.02, subdivision 5, is amended to read:

Subd. 5. [WRITTEN NOTICE REQUIRED.] The following notice printed verbatim in boldface type of a minimum size of ten points must be given to a prospective resident before he or she is asked to sign a rental agreement. The

notice and the safety feature disclosure form required under section 327C.07, subdivision 3a, must be posted in a conspicuous and public location in the park:

“IMPORTANT NOTICE

State law provides special rules for the owners and residents of manufactured home parks.

You may keep your home in the park as long as the park is in operation and you meet your financial obligations, obey state and local laws which apply to the park, obey reasonable park rules, do not substantially annoy or endanger the other residents or substantially endanger park personnel and do not substantially damage the park premises. You may not be evicted or have your rent increased or your services cut for complaining to the park owner or to a governmental official.

If you receive an eviction notice and do not leave the park, the park owner may take you to court. If you lose in court a sheriff may remove you and your home from the park within seven days. Or, the court may require you to leave the park within seven days but give you 60 days to sell the home within the park.

All park rules and policies must be reasonable. Your rent may not be increased more than twice a year. Changes made in park rules after you become a park resident will not apply to you if they substantially change your original agreement.

The park may not charge you an entrance fee.

The park may require a security deposit, but the deposit must not amount to more than two months rent.

You have a right to sell the home in the park. But the sale is not final until the park owner approves the buyer as a new resident, and you must advise in writing anyone who wants to buy your home that the sale is subject to final approval by the park owner. You must also disclose in writing certain safety information about your home to anyone who wants to buy it in the park. You must give this information to the buyer before the sale, in writing, on the form that is attached to this notice. You must completely and accurately fill out the form and you and the buyer should each keep a copy.

Your rental agreement and the park rules contain important information about your rights and duties. Read them carefully and keep a copy.

For further information concerning your rights, consult a private attorney. The state law governing the rental of lots in manufactured home parks may also be enforced by the Minnesota Attorney General.”

In addition, the safety feature disclosure form required under section 327C.07, subdivision 3a, must be attached to the notice.”

Page 5, line 15, after “Minnesota” strike “and” and insert “. Within 30 days following the in park sale of a home for which a home safety feature disclosure form has been provided under subdivision 3a, the buyer shall install”

Page 6, line 3, after the period, insert “This subdivision does not impose

any duty or obligation upon a broker, dealer, lender, or park owner to monitor completion of any repairs required, nor does it impose liability on any broker, dealer, lender, or park owner for any injury or claim of whatever nature, which may arise as a result of the failure of the buyer of the home to comply with the home safety features required herein."

Page 6, lines 7 and 8, delete "*the day following final enactment*" and insert "*August 1, 1984*"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 5, delete "section" and insert "sections 327C.02, subdivision 5; and"

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

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

S.F. No. 1526: A bill for an act relating to energy; directing the legislative commission on energy to prepare a policy statement on the expenditure of federal money for energy programs; requiring review of state plans to spend federal energy money; amending Minnesota Statutes 1982, section 3.351, by adding subdivisions.

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

Page 1, line 14, delete "*under*" and insert "*from the*" and delete "*law*" and insert "*government*"

Page 1, line 17, after "*for*" insert "*state*"

Page 1, line 19, delete everything after the period

Page 1, delete lines 20 and 21

Pages 1 and 2, delete section 2 and insert:

"Sec. 2. Minnesota Statutes 1982, section 3.351, is amended by adding a subdivision to read:

Subd. 2b. [REVIEW OF PLANS TO SPEND FEDERAL ENERGY MONEY.] When the governor or a state agency is eligible to receive money from the federal government for energy programs, the governor or the agency shall submit the plan for expenditure of the money to the commission for review and comment prior to or concurrent with submission of the plan to the federal government. In the case of money resulting from litigation or settlements of alleged violations of federal petroleum pricing regulations, the plan must be submitted to the commission for review and comment prior to submission to the federal government, provided that if the commission fails to review and comment within 30 days, the plan may be submitted without commission review. The commission shall review the plans for consistency with the policy statement prepared under subdivision 2a. If the governor or the agency is required to submit a request to spend the money to the legisla-

tive advisory commission under section 3.3005, the commission shall forward its comments to the legislative advisory commission for consideration during its preparation of a recommendation."

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

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

S.F. No. 1655: A bill for an act relating to public safety; providing for use of a portion of the proceeds of the tobacco tax; amending Minnesota Statutes 1982, section 297.13, subdivision 1.

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

Page 2, line 7, after "education" insert "including reimbursement for programs conducted from January 1, 1982 to June 30, 1984"

Page 2, line 7, delete "14" and insert "10"

Page 2, line 11, delete "34" and insert "38"

Page 2, line 13, before the period, insert " , including tactical field training"

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

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

S.F. No. 1823: A bill for an act relating to county humane societies; allowing for an increase in the appropriation a county may give to a county humane society in any year; amending Minnesota Statutes 1982, section 343.11.

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

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

S.F. No. 1643: A resolution memorializing the governments of the United States and the Federal Republic of Germany that the State of Minnesota adopts the Land of Bayern as a sister state.

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

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

S.F. No. 1864: A bill for an act relating to administrative procedure; providing for a hearing procedure on certain proposed rules; providing an ex-

emption from the contested case procedures; encouraging the use of negotiated rulemaking; regulating certain incorporations by reference; providing for the adoption of the rule after the hearing; requiring certain information to be contained in a notice to adopt a rule without a public hearing; authorizing interested persons to request a public hearing under certain circumstances; providing for notice of the modification of certain proposed rules; establishing a procedure for the adoption of emergency rules; providing for the expiration of authority for temporary rulemaking; providing for the legal status of certain exempt rules; requiring agencies to maintain official rulemaking records; providing for the judicial determination of the validity of a rule; making various technical changes; amending Minnesota Statutes 1982, sections 14.03, subdivision 2; 14.14, by adding a subdivision; 14.16; 14.23; 14.25; 14.29; 14.30; 14.31; 14.33; 14.35; 14.36; 14.38, subdivision 1; and 14.44; Minnesota Statutes 1983 Supplement, sections 14.07, subdivisions 2 and 4; 14.12; 14.15, subdivision 1; 14.22; 14.26; 14.32; and 14.45; proposing new law coded in Minnesota Statutes, chapter 14; repealing Minnesota Statutes 1982, section 14.13; and Minnesota Statutes 1983 Supplement, sections 14.07, subdivision 5; and 14.21.

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

Page 1, line 32, delete "Sec." and insert "Section"

Pages 2 and 3, delete section 2

Page 5, after line 2, insert:

"Sec. 4. Minnesota Statutes 1983 Supplement, section 14.08, is amended to read:

14.08 [REVISOR OF STATUTE'S APPROVAL OF RULE FORM.]

(a) ~~For the purpose of obtaining the revisor's certificate of approval of the form of a rule prior to filing the rule with the secretary of state, Two copies of the a rule adopted pursuant to the provisions of section 14.26 or 14.32 shall be submitted by the agency to the attorney general. The attorney general shall send one copy of the rule to the revisor on the same day as it is submitted by the agency to the attorney general as required by sections 14.16, under section 14.26, and or 14.32. Within five days after receipt of the rule, excluding weekends and holidays, the revisor shall either return the rule with a certificate of approval of the form of the rule to the attorney general or notify the attorney general and the agency that the form of the rule will not be approved.~~

~~(b) If the attorney general disapproves the a rule, the agency may modify it. After the chief hearing examiner's review, if any, and the agency shall submit two copies of the modified rule to the attorney general who shall send a copy to the revisor for approval as to form as described in this paragraph (a).~~

~~(b) One copy of a rule adopted after a public hearing shall be submitted by the agency to the revisor for approval of the form of the rule. Within five working days after receipt of the rule, the revisor shall either return the rule with a certificate of approval to the agency or notify the agency that the form of the rule will not be approved.~~

~~(c) If the revisor refuses to approve the form of any rules the rule, the revisor's notice to the agency and the attorney general shall indicate the rea-~~

son for the refusal and specify the modifications necessary so the form of the ~~rules~~ rule will be approved.

Sec. 5. Minnesota Statutes 1982, section 14.10, is amended to read:

14.10 [SOLICITATION OF OUTSIDE INFORMATION.]

When an agency seeks to obtain information or opinions in preparing to propose the adoption, amendment, suspension, or repeal of a rule from sources outside of the agency, the agency shall publish notice of its action in the state register and shall afford all interested persons an opportunity to submit data or views on the subject of concern in writing or orally. Such notice and any written material received by the agency shall become a part of the ~~hearing~~ rulemaking record to be submitted to the attorney general or ~~hearing examiner under section 14.16~~ sections 14.14, 14.26, or 14.32."

Page 5, after line 13, insert:

"Sec. 7. [14.131] [STATEMENT OF NEED AND REASONABLENESS.]

Subdivision 1. [CONTENT OF STATEMENT.] Before the agency orders the publication of a rulemaking notice required by section 14.14, subdivision 1a, the agency must prepare, review, and make available for public review a statement of the need for and reasonableness of the rule. The statement of need and reasonableness must be prepared under rules adopted by the chief hearing examiner.

Sec. 8. Minnesota Statutes 1983 Supplement, section 14.14, subdivision 1, is amended to read:

~~Subdivision 1. [REQUIRED HEARING.] Except as otherwise provided in chapter 14, no rule may be adopted by any agency unless the agency first holds~~
When a public hearing is required under section 14.25 or when an agency decides to proceed directly to a public hearing, the agency shall proceed under the provisions of sections 14.14 to 14.20 and hold a public hearing affording all affected interests an opportunity to participate."

Page 6, line 18, before "FILING" insert "CHIEF HEARING EXAMINER;"

Page 6, strike lines 25 to 29

Page 6, line 30, strike the period, and before "If" insert:

"Subdivision 1. [REVIEW OF MODIFICATIONS.] If the report of the hearing examiner finds no defects, the agency may proceed to adopt the rule. After receipt of the hearing examiner's report, if the agency makes any modifications to the rule other than those recommended by the hearing examiner, it must return the rule to the chief hearing examiner for a review on the issue of substantial change."

Page 7, reinstate line 1

Page 7, line 2, reinstate the stricken "to be informed that the" and after the stricken "record" insert "rule" and reinstate "has been"

Page 7, line 3, after the stricken "general" insert "adopted and filed with the secretary of state" and reinstate the rest of the line

Page 7, line 4, reinstate the stricken "that the" and after the stricken "submitted" insert "rule is filed" and reinstate the stricken period

Page 7, after line 4, insert:

"Subd. 2. [CORRECTION OF DEFECTS.] If the chief hearing examiner approves the hearing examiner's finding of a defect and advises the agency of actions which will correct the defect pursuant to subdivision 3 of section 14.15, the agency must either withdraw the rule or make the modifications required. The agency shall then resubmit the rule to the chief hearing examiner for a determination as to whether the defects have been corrected."

Page 7, line 5, before "After" insert "Subd. 3. [FILING.]"

Page 7, line 8, delete "file" and insert "filed"

Page 10, line 2, after the second comma, insert "and determine whether the agency has the authority to adopt the rule and whether the record supports the need for and reasonableness of the proposed rule"

Page 10, line 7, after "reasons" insert "and make recommendations to overcome the deficiencies"

Page 10, line 9, after "published" insert "until the deficiencies have been overcome"

Page 12, line 20, strike "five" and insert "ten"

Page 15, delete lines 15 and 16 and insert:

"No agency may adopt an emergency or temporary rule pursuant to any temporary rulemaking authority granted in a statute enacted prior to March 1, 1984, later than 180"

Page 15, line 17, delete "day" and insert "date"

Page 15, line 22, after "Statutes" insert "1984"

Page 15, after line 22, insert:

"The revisor of statutes shall change the term 'hearing examiner' or similar terms to 'administrative law judge' or similar terms and the term 'chief hearing examiner' or similar terms to 'chief administrative law judge' or similar terms wherever those terms appear in Minnesota Statutes 1984 with reference to personnel of the office of administrative hearings."

Page 15, line 28, delete "27" and insert "30"

Renumber the sections in sequence

Amend the title as follows:

Page 1, delete lines 2 to 18

Page 1, line 19, delete everything before the semicolon and insert "relating to state government; amending the administrative procedure act; establishing an optional negotiated rulemaking procedure; allowing interested persons to respond after a public hearing; removing a requirement that the attorney general review the hearing examiner's hearing report; providing that rules will be adopted without a public hearing unless 25 persons object; providing for notification that rules were modified after proposal; restricting the adop-

tion of temporary rules; providing that exempt rules are not effective unless submitted to the revisor of statutes; providing that judicial review of rules is by the court of appeals with appeal to the supreme court"

Page 1, line 20, before "14.14," insert "14.10;"

Page 1, line 24, after the first semicolon, insert "14.08;" and after "14.12;" insert "14.14, subdivision 1;"

Page 1, line 29, after the semicolon, insert "14.17;"

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

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

S.F. No. 1659: A bill for an act relating to the city of Duluth; authorizing the Duluth city council to permit the on-sale of liquor at the St. Louis County Heritage and Arts Center by on-sale licensees in the city of Duluth.

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

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

S.F. No. 1654: A bill for an act relating to the city of Roseville; authorizing additional on-sale intoxicating liquor licenses.

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

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

S.F. No. 1490: A bill for an act relating to alcoholic beverages; restricting hours of sale on statewide election days; amending Minnesota Statutes 1983 Supplement, sections 340.034, subdivision 1; and 340.14, subdivision 1.

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

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

S.F. No. 1768: A bill for an act relating to public utilities; amending the definition of public utility; amending Minnesota Statutes 1983 Supplement, section 216B.02, subdivision 4.

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

Page 1, line 19, after "fuel" insert "*which purchases the gas from a public utility*"

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

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

H.F. No. 977: A bill for an act relating to liquor; authorizing the city of Farmington to issue a club on-sale license to an Eagles Club.

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

Page 1, line 7, after "Notwithstanding" insert "*the period of existence required by section 340.11, subdivision 11, or*"

Page 1, after line 12, insert:

"Sec. 2. [FARMINGTON CLUB; GAMBLING AND BINGO LICENSE.]

Notwithstanding the period of existence required by sections 349.14 and 349.26, subdivision 9, the city of Farmington may issue a license under chapter 349 to an Eagles Club located within the city. All other provisions of chapter 349 not inconsistent with this section apply to the license."

Page 1, line 14, delete "Section 1 is" and insert "Sections 1 and 2 are"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 2, delete "liquor" and insert "private clubs"

Page 1, line 3, after "on-sale" insert "liquor"

Page 1, line 3, after "license" insert "and a license to conduct bingo and gambling"

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. 1640: A bill for an act relating to hazardous waste management; indemnifying persons liable under the environmental response and liability act; requiring operators to demonstrate financial responsibility; creating a state liability trust fund; imposing a disposal surcharge; appropriating money; proposing new law coded in Minnesota Statutes, chapter 115A.

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

Delete everything after the enacting clause and insert:

"Section 1. [115A.301] [INDEMNIFICATION FOR CERTAIN DAMAGES ARISING FROM DISPOSAL FACILITY.]

Subdivision 1. [INDEMNIFICATION BY OPERATOR; EXCEPTIONS.] (a) As a condition of obtaining an agency permit and except as provided in paragraph (b), the operator of a hazardous waste disposal facility established under sections 115A.18 to 115A.30, upon the acceptance of any hazardous waste for disposal, shall agree to indemnify any other person for any liability

the person may have under chapter 115B as a result of a release or threatened release of hazardous waste from the disposal facility to the extent of the financial responsibility requirement established in subdivision 2.

(b) The operator is not required to indemnify any person for liability to the extent that:

(1) the liability is the result of a violation by that person of state or federal law that governs the handling, transportation, or disposal of hazardous substances;

(2) the liability is the result of a negligent act or omission of that person with respect to the handling, transportation, or disposal of hazardous substances; or

(3) the liability is one for which a claim has been or may be paid by the Federal Post-Closure Liability Fund under 42 United States Code, Section 9607(k).

The operator is not required to indemnify any person for any claim filed more than 30 years after closure of the disposal facility in accordance with agency rules.

(c) The operator may intervene as of right in any action that may result in a claim for indemnification under this subdivision.

Subd. 2. [FINANCIAL RESPONSIBILITY.] *(a) As a condition of obtaining a permit to operate a hazardous waste disposal facility established under sections 115A.18 to 115A.30, the operator shall demonstrate financial responsibility to pay claims of liability for personal injury, economic loss, response costs, and natural resources damage that the operator may incur as a result of a release or threatened release of a hazardous waste from the facility, including liability for which the operator is required to indemnify other persons under subdivision 1. The amount of the operator's financial responsibility must be at least \$40,000,000.*

(b) The agency may require a higher level of financial responsibility as a condition of a permit for a disposal facility depending upon the size of the facility, the location of the facility, the types of waste that will be accepted at the facility, and other factors affecting the risk of a release and potential liability. The operator may demonstrate financial responsibility by any mechanism approved by the agency's hazardous waste rules. The operator shall maintain financial responsibility as provided in this subdivision during operation of the facility and until 30 years after facility closure in accordance with agency rules, provided that the operator shall maintain financial responsibility after 30 years in the amount and for the time necessary to satisfy any outstanding claims filed within 30 years after facility closure.

Subd. 3. [LIABILITY TRUST FUND.] *(a) A state facility liability trust fund is established as an account in the state treasury. Money in the fund shall be held in trust by the state to pay claims of liability resulting from the release or threatened release of hazardous waste from a disposal facility established under sections 115A.18 to 115A.30, and to purchase insurance to pay the claims. Subject to the limitations provided in paragraph (b), the fund and insurance purchased by the fund shall pay claims to the extent that the claims are not satisfied by the operator of the facility under subdivision 1 by the*

Federal Post-Closure Liability Fund under 42 United States Code, Section 9607(k), and by any person, including the operator, who is liable for the claim as a result of violation of a state or federal law or a negligent act or omission.

(b) The state is not obligated to pay any claims in excess of the amount of money in the fund and the limits of any insurance purchased by the fund.

(c) Interest earned by the money in the fund must be credited to the fund.

Subd. 4. [DETERMINATION OF AMOUNTS IN FUND.] The board shall determine the amount of money that will be needed in the state facility liability trust fund to maintain insurance coverage of at least \$10,000,000 during the operating life of the facility and to accumulate a balance of at least \$10,000,000 within 20 years after the facility begins operation. The board may require insurance coverage and accumulation of a fund balance in amounts greater than those provided in this subdivision based upon the factors that the agency must consider in establishing the level of financial responsibility under subdivision 2 and the amount of claims for which the fund is likely to be liable under subdivision 3. Based on the amounts required to purchase insurance and accumulate the fund balance, the board shall establish a surcharge amount to be collected under subdivision 5. The board may adjust the amount of the surcharge based on the actual quantities of waste received at the facility. Determinations by the board under this subdivision are subject to the rulemaking provisions of chapter 14.

Subd. 5. [DISPOSAL SURCHARGE.] A surcharge must be paid for every ton or part of a ton of hazardous waste accepted for disposal at a facility. The operator shall collect and hold the surcharge in a separate account. By the first day of each month, the operator shall pay any money in this account to the commissioner of finance to credit to the state facility liability trust fund.

Subd. 6. [ADMINISTRATION.] (a) The commissioner of finance shall administer the state facility liability trust fund. Money in the fund is appropriated to the commissioner of finance for expenditure as provided in subdivision 3. The commissioner shall establish separate accounts in the fund for purchase of insurance and for accumulation of a fund balance as required by the board under subdivision 4. After closure of the facility in accordance with agency rules, the commissioner shall consolidate the two accounts and may use any interest income from the fund to purchase insurance to pay claims for which the fund may be liable.

(b) The commissioner, in consultation with the attorney general, may settle any claims that the fund may be required to pay. If two or more claims are made against the fund, the amount of which would exceed the amount in the fund, the commissioner shall pay any valid claims on a pro rata basis. The commissioner, on behalf of the fund, may intervene as of right in an action that may result in a claim against the fund."

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

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

S.F. No. 1722: A bill for an act relating to agriculture; requiring agricul-

tural land preservation planning and official controls outside of the metropolitan area; establishing agricultural land preservation and conservation awareness and assistance programs; allowing valuation of agricultural land on the basis of productivity and net earning capacity; creating a legislative commission on agricultural land preservation and conservation; authorizing a special levy; creating a cost-sharing account in the state treasury; imposing a penalty; appropriating money; amending Minnesota Statutes 1982, section 40.036, by adding a subdivision; proposing new law coded as Minnesota Statutes, chapter 40A.

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

Page 2, line 30, delete "*designated in*"

Page 2, line 31, delete everything before the period and insert "*created under section 10*"

Page 3, line 14, delete "*at least*" and insert "*not more than*"

Page 3, line 15, after "*area*" insert "*that request*"

Page 3, line 17, delete "*The*" and insert "*If possible,*" and delete "*must*" and insert "*shall*"

Page 4, lines 2 and 23, after the period, insert "*The department shall notify the county of its determination.*"

Page 4, lines 3 and 23, delete "*they*" and insert "*the plan and controls*"

Page 4, line 8, delete "*in the state*"

Page 4, delete lines 26 to 36, and insert:

"Subd. 2. [NONMETROPOLITAN CITY.] A city that is located partially within a county in the metropolitan area but is not included in the definition of the metropolitan area may elect to be governed by this section. The city may:

(1) request the county outside of the metropolitan area where it is partially located to include the city in the agricultural land preservation plan and official controls of the county, using the joint planning board process under section 462.3585; or

(2) perform the duties of a county independently under this section.

If the city does not elect to be governed by this section, the city shall perform the duties of an authority under chapter 473H."

Page 5, delete lines 27 to 30 and insert:

"(1) designation of land suitable for long-term agricultural use and the creation of exclusive agricultural use zones, allowing for conditional, compatible uses that do not conflict with long-term agricultural use;"

Page 6, delete lines 4 to 14, and insert:

"If a county or a municipality in the county disputes the determination of the department relating to the elements under section 5, the county or municipality may request that the department initiate a contested case proceeding under chapter 14 within 30 days after receiving the determination. In addition, ten or more eligible voters of the county who own real estate within

the county may request a contested case proceeding. The department shall initiate the proceeding within 30 days after receiving the request. Judicial review of the contested case decision is as provided in chapter 14."

Pages 6 and 7, delete section 8

Page 7, line 16, delete "40A.09" and insert "40A.08"

Pages 7 and 8, delete section 10 and insert:

"Sec. 9. [40A.09] [EXCLUSIVE AGRICULTURAL USE ZONE; ELIGIBILITY.]

An owner or owners of land that has been designated for exclusive long term agricultural use under a plan submitted to or approved by the department under section 3 or 4 is eligible to apply for the creation of an exclusive agricultural use zone. Eligibility continues unless the department determines that the plan and official controls do not address the elements contained in section 5 or unless the county fails to implement the plan and official controls as required by sections 3 and 4.

Sec. 10. [40A.10] [APPLICATION FOR CREATION OF EXCLUSIVE AGRICULTURAL USE ZONE.]

Subdivision 1. [CONTENTS.] An eligible person may apply to the county in which the land is located for the creation of an exclusive agricultural use zone on forms provided by the department. In case a zone is located in more than one county, the application must be submitted to the county in which the majority of the land is located. The application must contain at least the following information and other information the department requires:

(a) Legal description of the area to be designated and parcel identification numbers where designated by the county auditor;

(b) Name and address of the owner;

(c) A witnessed signature of the owner covenanting that the land will be kept in exclusive agricultural use and will be used in accordance with the provisions of sections 9 to 15 that exist on the date of application; and

(d) A statement that the restrictive covenant will be binding on the owner or the owner's successor or assignee, and will run with the land.

In the case of registered property, the owner shall submit the owners duplicate certificate of title along with the application.

Subd. 2. [REVIEW AND NOTICE.] Upon receipt of an application, the county shall determine if all material required by subdivision 1 has been submitted and, if so, shall determine that the application is complete. The county shall send a copy of the application to the regional development commission, where applicable, and the soil and water conservation district where the land is located. The district shall prepare an advisory statement of existing and potential conservation problems in the zone. The district shall send the statement to the owner of record and to the department.

Subd. 3. [RECORDING.] Within five days of the date of application, the county shall forward the application to the county recorder, together with the owner's duplicate certificate of title in the case of registered property. The county recorder shall record the restrictive covenant and return it to the ap-

plicant. In the case of registered property, the recorder shall memorialize the restrictive covenant upon the certificate of title and the owner's duplicate certificate of title. The recorder shall notify the county that the covenant has been recorded or memorialized.

Subd. 4. [COMMENCEMENT OF EXCLUSIVE AGRICULTURAL USE ZONE.] *The land is an exclusive agricultural use zone and subject to the benefits and restrictions of sections 9 to 15 commencing 30 days from the date the county determines the application is complete under subdivision 1.*

Subd. 5. [FEE.] *The county may require an application fee, not to exceed \$50.*

Sec. 11. [40A.11] [DURATION OF EXCLUSIVE AGRICULTURAL USE ZONE.]

Subdivision 1. [GENERAL.] *An exclusive agricultural use zone continues in existence until either the owner or the county initiates expiration as provided in this section. The date of expiration by the owner or the county must be at least eight years from the date of notice under this section.*

Subd. 2. [TERMINATION BY OWNER.] *The owner may initiate expiration of an exclusive agricultural use zone by notifying the county on a form prepared by the department and available in each county. The notice must describe the property involved and must state the date of expiration. The notice may be rescinded by the owner during the first two years following notice.*

Subd. 3. [TERMINATION BY COUNTY.] *The county may initiate expiration of the exclusive agricultural use zone by notifying the owner by registered mail on a form provided by the department, provided that before notification the following conditions are met:*

(a) The agricultural land preservation plan and official controls have been amended so that the land is no longer designated for long term agricultural use; and

(b) The department has reviewed and approved the amended plan and official controls for consistency with the guidelines contained in section 5. The notice must describe the property involved and must state the date of expiration.

Subd. 4. [NOTICE AND RECORDING; TERMINATION.] *When the county receives notice under subdivision 2 or serves notice under subdivision 3, the county shall forward the original notice to the county recorder for recording and shall notify the regional development commission and the county soil and water conservation district of the date of expiration. Designation as an exclusive agricultural use zone and the benefits and limitations contained in sections 9 to 15 and the restrictive covenant filed with the application cease on the date of expiration. In the case of registered property, the county recorder shall cancel the restrictive covenant upon the certificate of title and the owner's duplicate certificate of title on the effective date of the expiration.*

Subd. 5. [EARLY EXPIRATION.] *An exclusive agricultural use zone may be terminated earlier than as provided in this section only in the event of a public emergency upon petition from the owner or county to the governor.*

The determination of a public emergency must be made by the governor through executive order under section 4.035 and chapter 12. The executive order must identify the exclusive agricultural use zone, the reasons requiring the action, and the date of expiration.

Sec. 12. [40A.12] [CERTAIN ASSESSMENTS PROHIBITED; EXCEPTION.]

Notwithstanding any law to the contrary, land in an exclusive agricultural use zone may not be assessed for construction projects for nonfarm public sanitary sewer systems, nonfarm public water systems, or nonfarm drainage systems. If the owner of land in a zone elects to use and benefit from a public project, this limitation does not apply and the land is subject to the regular assessment."

Page 8, line 2, delete "40A.11" and insert "40A.13"

Pages 8 and 9, delete section 12 and insert:

"Sec. 14. [40A.14] [SOIL CONSERVATION PRACTICES.]

Subdivision 1. [CONSERVATION PRACTICES TO PREVENT SOIL LOSS REQUIRED.] *An owner of agricultural land in an exclusive agricultural use zone shall manage the land with sound soil conservation practices that prevent excessive soil loss. Soil loss is excessive if it is greater than the soil loss tolerance for each soil type described in the United States soil conservation service field office technical guide or if the soil loss is greater than the soil loss allowed in an ordinance of the county. A sound soil conservation practice prevents excessive soil loss or reduces soil loss to the most practicable extent. The county shall enforce this subdivision.*

Subd. 2. [COMPLAINT.] *An elected local government official or district board member from the affected jurisdiction may submit a written complaint to the county attorney if conditions exist that indicate there is excessive soil loss from a tract of land that affects another tract of land or body of water. The written complaint must contain the name and address of the landowner, the location of the tract of land with the excessive soil loss, other land or water that is affected by the excessive soil loss, and a description of the nature of the excessive soil loss and resulting sedimentation. The county attorney may submit the complaint to the district for soil loss determination.*

Subd. 3. [DISTRICT DETERMINATION OF SOIL LOSS.] *(a) Upon request by the county attorney the district shall determine the average soil loss in tons per acre per year of the tract of land cited in the complaint.*

(b) The district shall submit a report to the county attorney that states the average soil loss in tons per acre per year for each tract of land and if that soil loss exceeds the amounts allowed in subdivision 1. If the soil loss is excessive the report must include the existing management and soil conservation practices and alternative practices that will prevent excessive soil loss or reduce the soil loss to the most practicable extent. If the report shows that the soil loss from the tract of land is excessive and alternative practices are available to reduce the soil loss the county attorney shall submit the complaint and the report to the county board.

(c) The district may enter public or private land to make an inspection for the determination of soil loss or to complete the report. The landowners must

be notified of the time of the inspections and be given an opportunity to be present when the inspection is made.

Subd. 4. [COUNTY BOARD INSPECTION; RESOLUTION.] (a) Upon receipt of the complaint and district report from the county attorney the county board may make an inspection of the land cited in the complaint to determine if the land is managed properly. The county board may enter public or private land to make an inspection for the determination. The county board must notify landowners of the time of the inspection and give them an opportunity to be present when the inspection is made.

(b) If the county board determines that the land is managed properly the complaint must be dismissed. If the county board determines that the land is not being managed properly the board shall adopt a resolution that describes alternative management practices; requires the owner within one year after receiving the resolution to commence practices or measures to reduce soil loss to the most practicable extent or prevent excessive soil loss, or submit a completed application for cost-sharing funds; and require that the practices or measures must be completed within one year after cost-sharing funds are available, or two years after receiving the resolution, whichever is later. The resolution must be delivered by personal service or certified mail to the landowner cited in the complaint.

Subd. 5. [DISTRICT ASSISTANCE.] At the request of a landowner receiving a resolution under subdivision 4, the district shall assist in the planning, design, and application of practices necessary to reduce soil loss to the amounts allowed in subdivision 1 or to the greatest practicable extent. The district shall give the landowner a high priority for technical and cost-sharing assistance.

Subd. 6. [CIVIL PENALTY.] A landowner who fails to commence or complete actions required in the county board resolution or obstructs inspections is subject to a civil penalty up to \$1,000. The county attorney shall bring the action. This civil penalty is not an exclusive penalty. Other action allowed by law may be brought to enforce this section."

Page 9, line 18, delete "40A.13" and insert "40A.15"

Page 10, line 10, delete "3" and insert "4"

Page 10, line 20, delete "40A.14" and insert "40A.16"

Page 11, line 25, delete "40A.15" and insert "40A.17"

Page 12, line 17, delete "and water"

Page 12, line 18, delete "12" and insert "14"

Page 13, line 10, delete "40A.16" and insert "40A.18"

Page 13, line 18, delete "40A.17" and insert "40A.19"

Page 13, line 23, delete "40A.18" and insert "40A.20"

Page 14, line 21, delete "appraise" and insert "analyze"

Page 14, line 36, delete "40A.19" and insert "40A.21"

Page 15, line 5, delete "14" and insert "16"

Page 15, line 26, delete "20" and insert "22"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 4, after the semicolon insert "providing for the creation of exclusive agricultural use zones;"

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

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

S.F. No. 1740: A bill for an act relating to public safety; providing immunity from liability for persons who render assistance in dangerous incidents involving compressed gases; proposing new law coded in Minnesota Statutes, chapter 299F.

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 1983 Supplement, section 604.05, subdivision 2, is amended to read:

Subd. 2. [GENERAL IMMUNITY FROM LIABILITY.] Any person, ~~including a public or private nonprofit volunteer firefighter, volunteer police officer, volunteer ambulance attendant, and volunteer first provider of emergency medical services,~~ who, without compensation or the expectation of compensation renders emergency care, *advice, or assistance* at the scene of an emergency or during transit to a location where professional medical care can be rendered, is not liable for any civil damages as a result of acts or omissions by that person in rendering the emergency care, *advice, or assistance* unless that person acts in a willful and wanton or reckless manner in providing the care, *advice or assistance*. Any person rendering emergency care, *advice, or assistance* during the course of regular employment, and receiving compensation or expecting to receive compensation for rendering such care, *advice, or assistance*, shall be excluded from the protection of this section.

For the purposes of this section, the scene of an emergency shall be those areas not within the confines of a hospital or other institution which has hospital facilities, or an office of a person licensed to practice one or more of the healing arts pursuant to chapters 147, 148, 150A, or 153. *The scene of an emergency includes areas threatened by or exposed to spillage, seepage, fire, explosion, or other release of hazardous materials.*

For the purposes of this section, "person" includes a public or private nonprofit volunteer firefighter, volunteer police officer, volunteer ambulance attendant, volunteer first provider of emergency medical services, and any partnership, corporation, association, or other entity.

For the purposes of this section, compensation does not include nominal payments, reimbursement for expenses, or pension benefits."

Amend the title as follows:

Page 1, line 4, delete "compressed gases" and insert "hazardous materi-

als''

Page 1, delete lines 5 and 6 and insert "amending Minnesota Statutes 1983 Supplement, section 604.05, subdivision 2."

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. 1351: A bill for an act relating to commerce; providing an alternative distribution of assets following voluntary dissolution of a cooperative association; amending Minnesota Statutes 1982, section 308.14, by adding a subdivision.

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

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

S.F. No. 1576: A bill for an act relating to military justice; modifying the appeal of court-martial proceedings; clarifying when a military judge may issue search warrants; amending Minnesota Statutes 1982, sections 192A.325; 192A.345, subdivisions 2 and 8; 192A.612; repealing Minnesota Statutes 1982, section 192A.345, subdivisions 1 and 3.

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

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

S.F. No. 1330: A bill for an act relating to landlords and tenants; providing for recovery by the tenant from the landlord of damages and attorney's fees for unlawful ouster or exclusion; proposing new law coded in Minnesota Statutes, chapter 504.

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

Page 1, line 12, delete "intentionally" and insert "in bad faith"

Page 1, line 13, delete "lands or tenements" and insert "a residential premises"

Page 1, line 17, delete "is effective the day following final enactment"

Page 1, line 18, delete "and" and delete "suits" and insert "causes of action"

Page 1, line 18, delete "that date" and insert "August 1, 1984"

Amend the title as follows:

Page 1, line 4, before the semicolon, insert "from residential premises"

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

SECOND READING OF SENATE BILLS

S.F. Nos. 1733, 1784, 1331, 1642, 1519, 1495, 1334, 1435, 1699, 1759,

1529, 1743, 1835, 1581, 1508, 1526, 1823, 1864, 1659, 1654, 1490, 1768, 1740, 1351, 1576 and 1330 were read the second time.

SECOND READING OF HOUSE BILLS

H.F. Nos. 1491, 1485 and 977 were read the second time.

MOTIONS AND RESOLUTIONS

Mr. Ulland moved that the name of Mr. Solon be added as a co-author to S.F. No. 1235. The motion prevailed.

Mr. Lessard moved that the name of Mr. Moe, R.D. be added as a co-author to S.F. No. 1433. The motion prevailed.

Mr. Waldorf moved that the names of Messrs. DeCramer and Storm be added as co-authors to S.F. No. 1498. The motion prevailed.

Mrs. McQuaid moved that the names of Messrs. Laidig, Jude and Schmitz be added as co-authors to S.F. No. 1717. The motion prevailed.

Mr. Dicklich moved that his name be stricken as a co-author to S.F. No. 1841. The motion prevailed.

Mr. Waldorf moved that the name of Mr. Pehler be added as a co-author to S.F. No. 1944. The motion prevailed.

Mr. Belanger moved that the name of Mr. Ramstad be added as a co-author to S.F. No. 2013. The motion prevailed.

Mr. Waldorf moved that the name of Mr. Pehler be added as a co-author to S.F. No. 2023. The motion prevailed.

Mr. Peterson, D.L. moved that S.F. No. 1897 be withdrawn from the Committee on Finance and returned to its author. The motion prevailed.

Mr. Storm introduced—

Senate Resolution No. 86: A Senate resolution congratulating the swimming and diving team from Edina High School for winning the 1984 Boys State High School Swimming and Diving Championship.

Referred to the Committee on Rules and Administration.

Mr. Samuelson introduced—

Senate Resolution No. 87: A Senate resolution congratulating the Flyers girls basketball team from Little Falls High School for winning the 1984 Class AA Girls State High School Basketball Championship.

Referred to the Committee on Rules and Administration.

Mr. Anderson introduced—

Senate Resolution No. 88: A Senate resolution congratulating the wrestling team from Staples High School for winning the 1984 Class A State High School Wrestling Championship.

Referred to the Committee on Rules and Administration.

Messrs. Freeman and Belanger introduced—

Senate Resolution No. 89: A Senate resolution congratulating the Eagles hockey team from Bloomington-Kennedy High School for winning second place in the 1984 State High School Hockey Championship.

Referred to the Committee on Rules and Administration.

Messrs. Knaak, Dahl and Laidig introduced—

Senate Resolution No. 90: A Senate resolution congratulating the Bears from White Bear Area Senior High School for winning the 1984 Class AA Boys State High School Basketball Championship.

Referred to the Committee on Rules and Administration.

CONSENT CALENDAR

S.F. No. 1562: A bill for an act relating to probate; providing for the transmission of documents to foreign consuls by the office of the secretary of state; amending Minnesota Statutes 1982, section 524.3-403.

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 59 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

S.F. No. 1350: A bill for an act relating to courts; providing for court of appeal representation on the judicial board of standards and certain advisory committees; amending Minnesota Statutes 1982, sections 480.052; 480.059, subdivision 2; and Minnesota Statutes 1983 Supplement, section 490.15, 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 60 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

GENERAL ORDERS

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

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

S.F. Nos. 1127, 1139, 1433, 1506 and 1757, which the committee recommends to pass.

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

INTRODUCTION AND FIRST READING OF SENATE BILLS

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

Mr. Moe, D.M.; Ms. Berglin and Mr. Spear introduced—

S.F. No. 2031: A bill for an act relating to the human rights department; appropriating money to the commissioner of human rights to hire temporary staff.

Referred to the Committee on Governmental Operations.

Messrs. Peterson, C.C.; Johnson, D.J.; Mrs. Adkins, Mr. Benson and Mrs. Kronebusch introduced—

S.F. No. 2032: A bill for an act relating to local government; providing for the distribution of certain federal payments in lieu of property taxes; proposing new law coded in Minnesota Statutes, chapter 471.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Berg and Bernhagen introduced—

S.F. No. 2033: A bill for an act relating to taxation; income; providing a credit for the cost of certain conservation tillage farm equipment; amending Minnesota Statutes 1982, section 290.06, by adding a subdivision.

Referred to the Committee on Agriculture and Natural Resources.

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

S.F. No. 2034: A bill for an act relating to crimes; regulating public dances; amending Minnesota Statutes 1982, section 624.50.

Referred to the Committee on Veterans and General Legislation.

Mr. Mehrkens introduced—

S.F. No. 2035: A bill for an act relating to game and fish; reducing the nonresident raccoon license fee and eliminating the commissioner's authority to limit the number taken; amending Minnesota Statutes 1982, section 98.46, subdivisions 14 and 26.

Referred to the Committee on Agriculture and Natural Resources.

Mses. Reichgott; Peterson, D.C.; Messrs. Petty, Knaak and Kamrath introduced—

S.F. No. 2036: A bill for an act relating to commitment; defining provisional discharge; prohibiting the provisional release of a mentally ill and dangerous patient from secure confinement; amending Minnesota Statutes 1982, sections 253B.02, by adding a subdivision; and 253B.18, subdivision 7.

Referred to the Committee on Judiciary.

Mr. Johnson, D.J. introduced—

S.F. No. 2037: A bill for an act relating to parks; providing for the conveyance of certain land for Voyageurs National Park; appropriating money; amending Minnesota Statutes 1982, section 84B.03, by adding a subdivision.

Referred to the Committee on Agriculture and Natural Resources.

Mr. Johnson, D.J. introduced—

S.F. No. 2038: A bill for an act relating to public utilities; requiring certain utility pole guy lines to be marked with reflector tape; proposing new law coded in Minnesota Statutes, chapter 237.

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

Mr. Moe, D.M. introduced—

S.F. No. 2039: A bill for an act relating to state monuments; adding the Roy Wilkins State Monument to the list of state monuments; appropriating money; amending Minnesota Statutes 1982, section 138.585, by adding a subdivision.

Referred to the Committee on Veterans and General Legislation.

Messrs. Jude, Knaak and Ms. Reichgott introduced—

S.F. No. 2040: A bill for an act relating to statutes; conforming various

laws to judicial decisions of unconstitutionality; amending Minnesota Statutes 1982, sections 297A.25, subdivision 4; and 609.341, subdivision 11; repealing Minnesota Statutes 1982, section 238.07.

Referred to the Committee on Judiciary.

Mses. Reichgott; Peterson, D.C.; Messrs. Luther and Storm introduced—

S.F. No. 2041: A bill for an act relating to elections; authorizing use of electronic voting systems for absentee voting in certain health care facilities; amending Minnesota Statutes 1983 Supplement, section 203B.08, subdivision 1a.

Referred to the Committee on Elections and Ethics.

Messrs. Pehler, Nelson and Willet introduced—

S.F. No. 2042: A bill for an act relating to education; establishing a scholarship program at certain state universities and certain campuses of the University of Minnesota to recruit top scholars in certain fields of study; appropriating money; proposing new law coded in Minnesota Statutes, chapter 135A.

Referred to the Committee on Education.

Messrs. Moe, D.M.; Bernhagen and Willet introduced—

S.F. No. 2043: A bill for an act relating to the legislative auditor; authorizing the audit of metropolitan agencies, boards, and commissions; amending Minnesota Statutes 1982, section 3.971, subdivision 1.

Referred to the Committee on Governmental Operations.

Mr. Merriam introduced—

S.F. No. 2044: A bill for an act relating to taxation; income; abolishing the farm loss modification; amending Minnesota Statutes 1982, sections 290.05, subdivision 3; and 290.095, subdivision 11; Minnesota Statutes 1983 Supplement, sections 290.01, subdivisions 20a, 20b, and 20f; 290.09, subdivision 1; 290.095, subdivision 7; and 290A.03, subdivision 3; repealing Minnesota Statutes 1983 Supplement, section 290.09, subdivision 29.

Referred to the Committee on Agriculture and Natural Resources.

Mr. Merriam introduced—

S.F. No. 2045: A bill for an act relating to taxation; income; eliminating withholding on pari-mutuel winnings; repealing Minnesota Statutes 1983 Supplement, section 290.92, subdivisions 27 and 28.

Referred to the Committee on Taxes and Tax Laws.

Mr. Jude, Ms. Reichgott and Mr. Knaak introduced—

S.F. No. 2046: A bill for an act relating to statutes; revising the text of certain laws to remove redundant and obsolete language, to simplify gram-

mar and syntax, and to improve the style of language without causing changes in the meaning of the laws affected; requiring the revisor of statutes to editorially change criminal fines in a manner consistent with 1983 regular session changes made in maximum authorized fines; amending Minnesota Statutes 1982, chapters 1, as amended; 16, as amended; 16A, as amended; 177, as amended; and 300, as amended; and Minnesota Statutes 1982, sections 10.39; 15.375; 80A.22, subdivision 1; 152.15, subdivision 1; 609.20; Minnesota Statutes 1983 Supplement, sections 609.21; 609.52, subdivision 3; 609.582; 617.246, subdivisions 2, 3, and 4; repealing Minnesota Statutes 1982, sections 10.02; 10.03; 16A.02; 16A.04, subdivisions 2 and 3; 16A.07; 16A.08; 16A.125, subdivision 6; 16A.132; 16A.52; 16A.55; 16A.65, subdivision 3; and Minnesota Statutes 1983 Supplement, section 609.0341, subdivision 3.

Referred to the Committee on Judiciary.

Messrs. Merriam and Novak introduced—

S.F. No. 2047: A bill for an act relating to athletics; changing the name of the board of boxing; regulating professional wrestling exhibitions; imposing a gross receipts tax on professional wrestling exhibitions; providing funding for high school extracurricular activities; clarifying certain terms; appropriating money; amending Minnesota Statutes 1982, sections 341.01; 341.02; 341.04; 341.05; 341.06; 341.07; 341.08; 341.09; 341.10; 341.11; 341.12; 341.13; 341.15; Minnesota Statutes 1983 Supplement, section 341.115.

Referred to the Committee on Economic Development and Commerce.

Mr. Frank and Mrs. McQuaid introduced—

S.F. No. 2048: A bill for an act relating to retirement; allowing municipal planners to participate in a deferred compensation plan in lieu of public employees retirement association membership; amending Minnesota Statutes 1982, section 353.028.

Referred to the Committee on Governmental Operations.

Mrs. Lantry introduced—

S.F. No. 2049: A bill for an act relating to the Ramsey-Washington metro watershed district; providing for the establishment of a district water maintenance and repair fund; authorizing a tax levy for water maintenance and repair purposes.

Referred to the Committee on Agriculture and Natural Resources.

Mr. Johnson, D.E. introduced—

S.F. No. 2050: A bill for an act relating to drainage; changing the amount of bond on appeal; amending Minnesota Statutes 1982, section 106.631, subdivision 2.

Referred to the Committee on Agriculture and Natural Resources.

Messrs. DeCramer and Bertram introduced—

S.F. No. 2051: A bill for an act relating to agriculture; authorizing the commissioner to use certain funds for short-term loans to help participants meet their family farm security loan obligations; amending Minnesota Statutes 1982, section 41.56, subdivision 3.

Referred to the Committee on Agriculture and Natural Resources.

Ms. Peterson, D.C.; Messrs. Petty, Luther, Wegscheid and Mrs. Kronebusch introduced—

S.F. No. 2052: A bill for an act relating to insurance; increasing replacement service loss benefits in no-fault auto insurance; amending Minnesota Statutes 1982, section 65B.44, subdivision 5.

Referred to the Committee on Economic Development and Commerce.

Mr. Sieloff introduced—

S.F. No. 2053: A bill for an act relating to taxation; income; allowing an itemized deduction for certain foreign taxes; amending Minnesota Statutes 1983 Supplement, section 290.089, subdivision 2.

Referred to the Committee on Taxes and Tax Laws.

Mr. Solon introduced—

S.F. No. 2054: A bill for an act relating to insurance; authorizing the use of smoker and nonsmoker mortality tables; proposing new law coded in Minnesota Statutes, chapter 61A.

Referred to the Committee on Economic Development and Commerce.

Mr. Pogemiller introduced—

S.F. No. 2055: A bill for an act relating to taxation; modifying and clarifying the small business investment credits; amending Minnesota Statutes 1983 Supplement, section 290.069, subdivisions 1, 2, 4, 5, and by adding subdivisions.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Luther, Ramstad, Jude, Novak and Ms. Berglin introduced—

S.F. No. 2056: A bill for an act relating to taxation; property; providing an exemption for certain facilities for the elderly; amending Minnesota Statutes 1983 Supplement, section 272.02, subdivision 1.

Referred to the Committee on Taxes and Tax Laws.

Mr. Johnson, D.J. introduced—

S.F. No. 2057: A bill for an act relating to transportation; prohibiting certain types of barricades, fences, or obstructions across highways and roads; imposing a penalty; amending Minnesota Statutes 1982, section 160.27, subdivision 5.

Referred to the Committee on Transportation.

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

S.F. No. 2058: A bill for an act relating to education; basing the distribution of certain taconite tax proceeds to certain school districts on a one year earlier pupil unit count; amending Minnesota Statutes 1983 Supplement, section 298.28, subdivision 1.

Referred to the Committee on Education.

Mr. Chmielewski introduced—

S.F. No. 2059: A bill for an act relating to education; inspection of school buildings by state fire marshal; amending Minnesota Statutes 1983 Supplement, section 275.125, subdivision 11b; proposing new law coded in Minnesota Statutes, chapter 299F.

Referred to the Committee on Education.

Mr. Chmielewski introduced—

S.F. No. 2060: A bill for an act relating to taxation; property; extending class 3 property to certain property owned by veterans organizations; amending Minnesota Statutes 1983 Supplement, section 273.13, subdivision 4.

Referred to the Committee on Taxes and Tax Laws.

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

S.F. No. 2061: A bill for an act relating to natural resources; authorizing the commissioner of natural resources to sell certain lands in Koochiching County; appropriating money.

Referred to the Committee on Agriculture and Natural Resources.

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

S.F. No. 2062: A bill for an act relating to workers' compensation; providing for determination of disability in cases of occupational disability; amending Minnesota Statutes 1982, section 176.66, subdivision 1.

Referred to the Committee on Employment.

Mr. Johnson, D.J. introduced—

S.F. No. 2063: A bill for an act relating to traffic regulations; providing penalties for certain traffic violations; amending Minnesota Statutes 1982, section 169.141, subdivision 2, and by adding a subdivision.

Referred to the Committee on Transportation.

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

S.F. No. 2064: A bill for an act relating to state lands; conveying lands to the federal government for Voyageurs National Park; appropriating money; amending Minnesota Statutes 1982, section 84B.03, by adding a subdivision.

Referred to the Committee on Agriculture and Natural Resources.

Ms. Berglin introduced—

S.F. No. 2065: A bill for an act relating to health; changing certain hospital cost reporting requirements; adding reporting requirements for outpatient surgical centers; deleting hospital rate review requirements; adding provisions for fines; deleting obsolete language; amending Minnesota Statutes 1982, sections 144.695; 144.696; 144.698; 144.699; 144.701; 144.702; and 144.703; repealing Minnesota Statutes 1982, sections 144.7021; 144.704; and 144.705.

Referred to the Committee on Health and Human Services.

Mr. Samuelson introduced—

S.F. No. 2066: A bill for an act relating to taxation; changing the definition of wetlands for purposes of the property tax exemption and credit; amending Minnesota Statutes 1983 Supplement, section 272.02, subdivision 1.

Referred to the Committee on Agriculture and Natural Resources.

Messrs. Moe, R.D. and Peterson, C.C. introduced—

S.F. No. 2067: A bill for an act relating to Indians; providing for partial settlement of Indian land claims on the White Earth Reservation; appropriating money.

Referred to the Committee on Agriculture and Natural Resources.

Mr. Chmielewski introduced—

S.F. No. 2068: A bill for an act relating to game and fish; authorizing the use of dogs in taking bear; amending Minnesota Statutes 1982, section 100.29, subdivision 14.

Referred to the Committee on Agriculture and Natural Resources.

Mr. Bertram, Mmes. Adkins, McQuaid, Mr. Stumpf and Ms. Olson introduced—

S.F. No. 2069: A bill for an act relating to local government; requiring payments as a condition of annexations; amending Minnesota Statutes 1982, section 414.031, subdivision 4.

Referred to the Committee on Local and Urban Government.

Mr. Dieterich introduced—

S.F. No. 2070: A bill for an act relating to intoxicating liquor; providing for the validation and issuance of intoxicating liquor licenses on Indian reservations; amending Minnesota Statutes 1982, section 340.11, by adding a subdivision.

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

Messrs. Peterson, C.C. and Frederickson introduced—

S.F. No. 2071: A bill for an act relating to retirement; highway patrol; age and service requirements; annuity formula; amending Minnesota Statutes 1983 Supplement, section 352B.08.

Referred to the Committee on Governmental Operations.

Mr. Schmitz, Mrs. Adkins, Messrs. Wegscheid, Chmielewski and Renneke introduced—

S.F. No. 2072: A bill for an act relating to local government; providing for the conduct of the business of towns; setting various conditions for elections; providing for certain town debt; revising various other town laws; providing penalties; amending Minnesota Statutes 1982, sections 6.54, as amended; 6.55; 117.011; 160.02, subdivision 6; 160.05, subdivision 1; 160.17, subdivisions 1 and 2; 164.06; 164.11; 164.14, by adding a subdivision; 340.14, subdivision 5; 365.10; 365.15; 365.37; 365.51; 365.53; 366.01, subdivisions 2, 3, 4, 7, and by adding subdivisions; 366.015; 366.07; 367.02; 367.05, subdivision 1; 367.10; 367.15; 367.19; 367.23; 367.24; 367.30, subdivision 2; 367.31, subdivision 6; 368.01, subdivisions 1, 17, 21, 22, and 26; 368.121; 450.19; 624.44; and 624.51; Minnesota Statutes 1983 Supplement, sections 365.52; 366.20; 367.11; and 429.011, subdivision 2b; proposing new law coded in Minnesota Statutes, chapters 365; 366; and 368; repealing Minnesota Statutes 1982, sections 160.21, subdivision 5; 365.105; 365.106; 365.12; 366.06; 367.035; 367.05, subdivision 2; 368.01, subdivision 28; 368.02; 368.03; 368.04; 368.05; 368.06; 368.07; 368.08; 368.09; 368.10; 368.11; and 368.86.

Referred to the Committee on Local and Urban Government.

Messrs. Laidig, Knaak, Anderson, Ms. Olson and Mr. Kamrath introduced—

S.F. No. 2073: A resolution memorializing the Congress of the United States to provide an amendment to the Constitution of the United States to provide the president with the authority to veto individual line items in appropriations bills.

Referred to the Committee on Rules and Administration.

Mr. Peterson, C.C. introduced—

S.F. No. 2074: A bill for an act relating to health; expanding vocational rehabilitation; providing for additional grants to long-term sheltered workshops or work activity programs; appropriating money; amending Minnesota Statutes 1982, section 129A.08, by adding a subdivision.

Referred to the Committee on Health and Human Services.

Messrs. Stumpf, Samuelson, Pehler and Johnson, D.E. introduced—

S.F. No. 2075: A bill for an act relating to education; prohibiting a school district from commencing the school year prior to Labor Day; amending Minnesota Statutes 1982, section 126.12.

Referred to the Committee on Education.

Messrs. Solon; Chmielewski; Johnson, D.J.; Dicklich and Lessard introduced—

S.F. No. 2076: A bill for an act relating to transportation; authorizing extension of I-35 in Duluth; amending Minnesota Statutes 1982, sections 161.12; and 161.1245, by adding a subdivision.

Referred to the Committee on Transportation.

Mr. Willet introduced—

S.F. No. 2077: A bill for an act relating to intoxicating liquor; allowing Shingobee township to issue and renew certain off-sale licenses; validating certain liquor licenses.

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

Mr. Stumpf introduced—

S.F. No. 2078: A bill for an act relating to certain counties; providing for changes in the administration of county nursing homes; authorizing the establishment of facilities for the provision of supportive services; amending Minnesota Statutes 1982, sections 376.55; 376.56; 376.57; 376.58; 376.59; and 376.60; repealing Minnesota Statutes 1982, sections 376.573; 376.61; 376.62; 376.63; 376.64; 376.65; and 376.66.

Referred to the Committee on Health and Human Services.

Messrs. Bertram, Lessard and Samuelson introduced—

S.F. No. 2079: A bill for an act relating to veterans; requiring veterans organizations to file reports to the commissioner of veterans affairs; proposing new law coded in Minnesota Statutes, chapter 197.

Referred to the Committee on Veterans and General Legislation.

Mr. Dicklich introduced—

S.F. No. 2080: A bill for an act relating to education; ensuring minimum amounts of financial support to the regional public library system; requiring county board of commissioners to appoint at least one representative to the regional public library system board; proposing new law coded in Minnesota Statutes, chapter 134.

Referred to the Committee on Education.

ADJOURNMENT

Mr. Moe, R.D. moved that the Senate do now adjourn until 2:45 p.m., Wednesday, March 28, 1984. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate