

SEVENTY-SEVENTH DAY

St. Paul, Minnesota, Friday, April 13, 1984

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

CALL OF THE SENATE

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

Prayer was offered by the Chaplain, Rev. James D. Gorman.

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

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

The President declared a quorum present.

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

EXECUTIVE AND OFFICIAL COMMUNICATIONS

The following communications were received.

April 6, 1984

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

The Honorable Jerome M. Hughes
President of the Senate

I have the honor to inform you that the following enrolled Act of the 1984 Session of the State Legislature has been received from the Office of the Governor and is deposited in the Office of the Secretary of State for preservation, pursuant to the State Constitution, Article IV, Section 23:

S.F. No.	H.F. No.	Session Laws Chapter No.	Date Approved 1984	Date Filed 1984
1476		376	April 6	April 6

Sincerely,

Joan Anderson Growe
Secretary of State

April 10, 1984

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

The Honorable Jerome M. Hughes
President of the Senate

I have the honor to inform you that the following enrolled Act of the 1984 Session of the State Legislature has been received from the Office of the Governor and is deposited in the Office of the Secretary of State for preservation, pursuant to the State Constitution, Article IV, Section 23:

S.F. No.	H.F. No.	Session Laws Chapter No.	Date Approved 1984	Date Filed 1984
1475		377	April 9	April 10

Sincerely,

Joan Anderson Growe
Secretary of State

April 11, 1984

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

The Honorable Jerome M. Hughes
President of the Senate

I have the honor to inform you that the following enrolled Act of the 1984 Session of the State Legislature has been received from the Office of the Governor and is deposited in the Office of the Secretary of State for preservation, pursuant to the State Constitution, Article IV, Section 23:

S.F. No.	H.F. No.	Session Laws Chapter No.	Date Approved 1984	Date Filed 1984
1453		378	April 10	April 11

Sincerely,

Joan Anderson Growe
Secretary of State

MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to announce the passage by the House of the following House File, herewith transmitted: H.F. No. 2317.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted April 12, 1984

FIRST READING OF HOUSE BILLS

The following bill was read the first time.

H.F. No.2317: A bill for an act relating to the organization and operation of state government; clarifying, providing for deficiencies in, and supplementing appropriations for the expenses of state government with certain conditions; creating and modifying agencies and functions; fixing and limiting fees; requiring studies and reports; appropriating money; amending Minnesota Statutes 1982, sections 3.099, subdivisions 2 and 3; 3.30, subdivision 2; 3.3005; 10.12; 10.14; 10.15; 11A.08, subdivision 3; 15.0575, subdivision 3; 15.0597, subdivision 1; 16.026, subdivisions 3 and 7; 16.80, subdivision 1; 16A.04, subdivisions 1 and 4; 16A.06; 16A.065; 16A.125, subdivision 6; 16A.13, subdivisions 1 and 2; 16A.131, subdivision 1; 16A.14, subdivision 2; 16A.28; 16A.45; 16A.53; 16A.63; 16A.64, as amended; 16A.65; 16A.66, as amended; 16A.671; 16A.675; 43A.27, by adding a subdivision; 43A.30, by adding a subdivision; 84.085; 84A.53; 84A.54; 84B.03, by adding a subdivision; 94.16; 117.085; 117.195, subdivision 1; 117.232, subdivision 1; 125.031; 136.11, subdivisions 2 and 7; 136.506; 136.55, subdivision 2; 136A.81, subdivision 1; 144.413, subdivision 2; 144.414; 158.07; 158.08; 161.173; 161.174; 168.12, subdivisions 1 and 5; 168.33, subdivision 2; 169.966, subdivision 1a, and by adding a subdivision; 174.22, subdivisions 5, 10, and 13, and by adding a subdivision; 174.23, subdivisions 2 and 4; 174.24, subdivisions 1, 2, and 5; 174.265, subdivision 3; 179.741, subdivision 2; 214.001, subdivision 2; 214.13, subdivisions 1, 2, 3, and 5; 221.295; 239.10; 241.66, subdivision 2; 245.811; 256E.07, subdivision 1, and by adding subdivisions; 296.13; 299D.03, subdivision 2; 340.11, subdivision 11a; 345.47, subdivision 1, and by adding a subdivision; 345.525; 352.01, subdivision 2A; 359.01; 462A.05, subdivision 20; 473.121, subdivisions 7, 10, 18, 19, and by adding subdivisions; 473.146, subdivisions 3 and 4; 473.164; 473.167, subdivision 1; 473.168, subdivision 2; 473.181, subdivision 3; 473.223; 473.404; 473.405; 473.409; 473.411; 473.416; 473.435; 473.436, by adding a subdivision; 473.445; 473.446, subdivision 2a, and by adding subdivisions; and 473.449; Minnesota Statutes 1983 Supplement, sections 3.3026, subdivision 5; 3.732, subdivision 1; 10A.01, subdivision 18; 15A.081, subdivisions 1, 6, and 7; 16A.125, subdivision 5; 16A.15, subdivision 6; 16A.36; 16A.672; 43A.04, subdivision 8; 85.40, subdivision 5; 85.41, subdivisions 3, 4, and 5; 116J.70, subdivision 2a; 135A.03, subdivisions 1, 3, and 4; 135A.07, subdivision 2; 136.144; 136A.121, subdivision 2; 161.43; 161.44, subdivision 6a; 174.24, subdivision 3; 180.03, subdivision 2; 214.06, subdivision 1; 214.13, subdivision 4; 221.041, by adding a subdivision; 221.071, subdivision 1; 256.01, subdivision 2; 256B.501, subdivision 10; 256D.111, subdivision 2; 256D.112; 268.673, subdivision 5; 268.675; 268.676, subdivisions 1 and 2; 268.677; 268.686; 268.80; 268.81; 298.296, subdivision 1; 357.021, subdivision 2a; 462A.07, subdivision 15; 473.436, subdivision 6; 517.08, subdivision 1c; Laws 1983, chapter 199, section 17, subdivision 2; chapter 258, section 2, subdivision 7; chapter 290, section 172; chapter 293, sections 1; 2, subdivisions 2, 8, and 9; 4, subdivisions 1 and 3; and 6; chapter 301, sections 38, 39, 40, 41, and 42; proposing new law coded in Minnesota Statutes, chapters 13, 16, 16A, 18, 48, 84, 136, 161, 190, 214, 221, 246, 256B, 268, 349, and 473; proposing new law coded as Minnesota Statutes, chapters 16B, 40A, 119, and 494; repealing Minnesota Statutes 1982, sections 10.13; 16A.132; 16A.51; 16A.54; 16A.59; 16A.73; 84.82, subdivision 9; 120.83; 136.11, subdivision 6; 136A.133; 174.03, subdivision 5a; 174.24, subdivisions 3a and 4; 174.265; 174.31; 256E.07, subdivision 3; 473.401; 473.402; 473.403; 473.411, subdivision 1; 473.413, as amended; and 473.451; Minnesota Statutes 1983 Supplement, sections 120.801; 120.802; 120.803; 120.804; 120.805; 120.806; and 120.81; Laws 1983, chapter 289, section 102.

Mr. Moe, R.D. moved that H.F. No. 2317 be laid on the table. The motion prevailed.

REPORTS OF COMMITTEES

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

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

H.F. No. 751: A bill for an act relating to energy; simplifying hydropower lease procedures; amending Minnesota Statutes 1982, sections 105.482, subdivisions 8 and 9; 272.02, by adding a subdivision; 273.19, by adding a subdivision; and 295.44, subdivision 1; repealing Minnesota Statutes 1982, section 295.44, subdivisions 2, 3, and 4.

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 105.482, subdivision 8, is amended to read:

Subd. 8. [HYDROPOWER GENERATION POLICY; LEASING OF DAMS AND DAM SITES.] Consistent with laws relating to dam construction, reconstruction, repair, and maintenance, the legislature finds that the public health, safety, and welfare of the state is also promoted by the use of state waters to produce hydroelectric or hydromechanical power. Further, the legislature finds that the leasing of existing dams and potential dam sites primarily for such power generation is a valid public purpose. A local governmental unit, or the commissioner of natural resources with the approval of the state executive council, may provide pursuant to a lease or development agreement for the development and operation of dams, dam sites, and hydroelectric or hydromechanical power generation plants owned by the respective government by an individual, a corporation, an organization, or other legal entity upon such terms and conditions as the local governmental unit or the commissioner may negotiate for a period not to exceed 99 years. *For an installation of 15,000 kilowatts or less at a dam site and reservoir that is not being used on January 1, 1984, in connection with the production of hydroelectric or hydromechanical power, the lease or development agreement negotiated by the local governmental unit and the developer shall constitute full payment by the lessee and may be in lieu of all real or personal property taxes that might otherwise be due to a local governmental unit.* If the dam, dam site, or power generation plant is located in or contiguous to a city or town, other than the lessor governmental unit, the lease or agreement shall not be effective unless it is approved by the governing body of ~~such~~ the city or town. For purposes of this subdivision, city means a statutory or home rule charter city.

Sec. 2. Minnesota Statutes 1982, section 105.482, subdivision 9, is amended to read:

Subd. 9. [CONTENTS OF DEVELOPMENT AGREEMENT.] An agree-

ment for the development or redevelopment of a hydropower site may contain, but need not be limited to, the following provisions:

(a) Length of the development agreement, subject to negotiations between the parties but not more than 50 99 years, and conditions for extension, modification, or termination;

(b) Provisions for a performance bond on the developer, or, certification that the equipment and its installation have a design life at least as long as the lease;

(c) Provisions to assure adequate maintenance and safety in the impoundment structures, if any, and to assure access to recreational sites, if any.

Sec. 3. Minnesota Statutes 1982, section 272.02, is amended by adding a subdivision to read:

Subd. 6. Notwithstanding the provisions of subdivision 5, real and personal property used or to be used primarily for the production of hydroelectric or hydromechanical power and leased from the state or a local governmental unit pursuant to section 105.482, subdivisions 1, 8, and 9, may be exempt from taxation or payments in lieu of taxes.

The exemption from taxation or payments in lieu of taxes provided by this subdivision does not apply to hydroelectric or hydromechanical facilities operated at any time between January 1, 1980, and January 1, 1984.

Sec. 4. Minnesota Statutes 1982, section 273.19, is amended by adding a subdivision to read:

Subd. 5. Notwithstanding the provisions of subdivision 4, real and personal property used or to be used primarily for the production of hydroelectric or hydromechanical power and leased from the state or a local governmental unit pursuant to section 105.482, subdivisions 1, 8, and 9, may be exempt from taxation or payments in lieu of taxes.

The exemption from taxation or payments in lieu of taxes provided by this subdivision does not apply to hydroelectric or hydromechanical facilities operated at any time between January 1, 1980, and January 1, 1984.

Sec. 5. Minnesota Statutes 1982, section 295.44, subdivision 1, is amended to read:

Subdivision 1. [EXEMPTION.] Notwithstanding the provisions of sections 272.01, subdivision 2, 272.02, subdivision 5, and 273.19, subdivision 1, real or personal property used or to be used primarily for the production of hydroelectric or hydromechanical power on a site owned by the state or a local governmental unit and developed and operated pursuant to section 105.482, subdivisions 1, 8 and 9 ~~shall~~ may be exempt from property taxation for the five calendar years succeeding the year in which the development agreement is executed all years during which the site is developed and operated under the terms of a lease or agreement authorized by section 105.482, subdivisions 1, 8, and 9.

Sec. 6. [REPEALER.]

Minnesota Statutes 1982, section 295.44, subdivisions 2, 3, and 4, are repealed.

Sec. 7. [EFFECTIVE DATE.]

Sections 1 to 6 are effective the day following final enactment."

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

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

S.F. No. 2123: A bill for an act relating to courts; accelerating the effective date of judicial reorganization in the third judicial district; amending Minnesota Statutes 1982, section 487.191.

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

Page 1, lines 11, 17, and 22, delete "*judicial district*" and insert "*and seventh judicial districts*"

Page 2, line 11, after "*reelection*" insert "*districtwide*"

Amend the title as follows:

Page 1, lines 3 and 4, delete "*judicial district*" and insert "*and seventh judicial districts*"

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

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

H.F. No. 1058: A bill for an act relating to limited partnerships; providing for withdrawals of certain partners; providing for liabilities of partners; amending Minnesota Statutes 1982, sections 322A.27; and 322A.33.

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

Page 2, line 24, delete "*partnership*" and insert "*other partners*" and delete "*other partners*" and insert "*partnership*"

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

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

S.F. No. 2190: A bill for an act relating to crimes; requiring the court to impose a stay of execution of sentence with a 90-day period of incarceration as a condition of probation for certain offenders convicted of a first offense of burglary of a dwelling; amending Minnesota Statutes 1983 Supplement, section 609.583.

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. 2000: A bill for an act relating to landlords and tenants; requiring landlords of residential rental units to notify tenants of their rights and duties

under state law; providing a penalty; proposing new law coded in Minnesota Statutes, chapter 504.

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 504.22, subdivision 1, is amended to read:

Subdivision 1. [DEFINITIONS.] As used in this section,

(a) “tenant” shall have the meaning assigned to it in section 566.18, *but for purposes of section 2, it does not include residents of manufactured home parks as defined in section 327C.01, subdivision 9; and*

(b) “owner” shall mean one or more persons, jointly or severally, in whom is vested a legal or beneficial interest in the premises.

Sec. 2. Minnesota Statutes 1982, section 504.22, is amended by adding a subdivision to read:

Subd. 2a. [DISCLOSURE STATEMENT; DISTRIBUTION.] The attorney general shall prepare and make available to the public at cost, in a form and size suitable for distributing pursuant to this section, a statement which describes the significant legal rights and obligations of owners and tenants of rental dwelling units. The statement shall include descriptions of the significant provisions of chapters 504 and 566. The statement shall notify tenants in public housing to consult their leases for additional rights and obligations they may have under federal law. The statement shall include the telephone number and address of the attorney general for further information.

The attorney general shall annually revise the statement provided in this section as necessary to ensure that it continues accurately to describe the statutory and case law governing the rights and duties of owners and tenants of rental dwelling units. After preparing the statement for the first time and after each annual revision of the statement, the attorney general shall hold a public meeting to discuss the statement and receive comments on its contents before it is issued. When preparing the statement and evaluating public comment, the attorney general shall be guided by the legislature’s intent that the statement be brief, accurate, and complete in identifying significant legal rights and obligations, and written using words with common, everyday meanings.”

Amend the title as follows:

Page 1, delete lines 5 and 6 and insert “amending Minnesota Statutes 1982, section 504.22, subdivision 1, and by adding a subdivision.”

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. 966: A bill for an act relating to mediation; providing for mediation of disputes; amending Minnesota Statutes 1982, section 595.02; proposing new law coded in Minnesota Statutes, chapter 572.

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

Page 1, line 8, after "MINNESOTA" insert "CIVIL"

Page 1, line 9, after "Minnesota" insert "Civil"

Pages 1 and 2, delete section 2

Page 2, delete subdivision 3

Page 2, delete line 24

Page 2, line 25, delete "to mediate,"

Renumber the subdivisions in sequence

Page 2, line 26, delete "572.34" and insert "572.35"

Page 2, delete lines 28 to 36 and insert:

"The effect of a mediated settlement agreement shall be determined under principles of law applicable to a contract. However, a mediated settlement agreement is not binding unless it contains a provision to the contrary and the parties were advised in writing that (a) the mediator has no duty to protect their interests or provide them with information about their legal rights; (b) signing a mediated settlement agreement may affect their legal rights; and (c) they should consider consulting with a lawyer before signing a mediated settlement agreement."

Page 3, delete lines 1 to 17

Page 3, delete section 5 and insert:

"Sec. 4. [572.36] [SETTING ASIDE A MEDIATED SETTLEMENT AGREEMENT.]

Upon application of a party, the court shall set aside a mediated settlement agreement if appropriate under the principles of law applicable to setting aside a contract, or if there was evident partiality, corruption, or misconduct by a mediator prejudicing the rights of a party. The fact that the relief was such that it could not or would not be granted by a court of law or equity is not ground for setting aside the mediated settlement agreement unless it violates public policy."

Page 3, line 26, before "[STATUTES OF LIMITATIONS.]" insert "[572.39]"

Page 3, after line 29, insert:

"Sec. 6. [572.40] [SCOPE.]

Sections 1 to 4 do not apply to proceedings relating to the determination of criminal liability or proceedings brought under chapters 518, 518A, 518B, and 518C, or proceedings relating to guardianship, conservatorship, or civil commitment.

Sec. 7. [572.41] [SEVERABILITY.]

If any provision of sections 1 to 6 or the application of a provision to any person or circumstances is held invalid, the invalidity shall not affect other provisions or applications of the sections which can be given without the

invalid provision or application, and to this end the provisions of sections 1 to 6 are severable."

Page 7, line 12, after the first "to" insert "the" and after "in" insert "the dispute in"

Page 7, line 13, delete everything after "court" and insert "by a party to have a mediated settlement set aside or reformed."

Page 7, delete line 14

Page 7, line 15, delete everything before "A" and after "A" insert "communication or"

Page 7, line 18, delete "3" and insert "2"

Renumber the sections in sequence

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

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

S.F. No. 1007: A bill for an act relating to courts; permitting the establishment of compulsory nonbinding arbitration programs for use in civil proceedings; proposing new law coded in Minnesota Statutes, chapter 484.

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

Page 1, line 9, delete "district"

Page 1, line 10, delete "court" and delete "the fourth" and insert "a"

Page 1, after line 14, insert:

"Subd. 2. [EXCLUSIONS.] Judicial arbitration may not be used to dispose of matters relating to guardianship, conservatorship, or civil commitment, matters within the juvenile court jurisdiction involving neglect, dependency, or delinquency, matters involving termination of parental rights under sections 260.221 to 260.245, or matters arising under sections 518B.01, 626.557, or 144.651 to 144.652."

Page 1, line 15, delete "2" and insert "3"

Page 1, line 17, delete "district court"

Page 1, after line 21, insert:

"Subd. 4. [QUALIFICATIONS.] All arbitrators and persons practicing before them under this section shall be licensed to practice law in the state of Minnesota."

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

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

S.F. No. 21: A bill for an act relating to health; allowing any interested person to seek enforcement of certain patient rights; amending Minnesota Statutes 1982, section 144.651.

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 144.651, subdivision 1, is amended to read:

Subdivision 1. [LEGISLATIVE INTENT.] It is the intent of the legislature and the purpose of this section to promote the interests and well being of the patients and residents of health care facilities. ~~No health care facility may require a patient or resident to waive these rights as a condition of admission to the facility. Any guardian or conservator of a patient or resident or, in the absence of a guardian or conservator, an interested person, may seek enforcement of these rights on behalf of a patient or resident.~~ It is the intent of this section that every patient's civil and religious liberties, including the right to independent personal decisions and knowledge of available choices, shall not be infringed and that the facility shall encourage and assist in the fullest possible exercise of these rights.

Sec. 2. Minnesota Statutes 1982, section 144.651, is amended by adding a subdivision to read:

Subd. 1a. [ENFORCEMENT OF RIGHTS.] Any patient or resident may seek enforcement of rights granted under this section. In addition, a family member, guardian, conservator, nursing home ombudsman, health facility staff person, or other interested person may seek enforcement of these rights on behalf of a patient or resident. An interested person is someone who demonstrates a sincere and continuing interest in the welfare of the individual patient or resident. If the patient or resident has a guardian or conservator of the person, any other person named in this subdivision may seek enforcement of the patient's or resident's rights only in situations involving a violation of subdivision 14 or imminent danger of physical harm, or where the guardian or conservator does not object to the other person's action. Pending the outcome of the enforcement proceeding the health care facility may in good faith comply with the instructions of a guardian or conservator. No health care facility may require a patient or resident to waive these rights as a condition of admission to the facility."

Amend the title as follows:

Page 1, line 4, after "144.651" insert "", by adding a subdivision; and Minnesota Statutes 1983 Supplement, section 144.651, subdivision 1"

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

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

H.F. No. 2150: A bill for an act relating to newspapers; making certain publications legal newspapers; proposing new law coded in Minnesota Statutes, chapter 331.

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 331.02, subdivision 3, is amended to read:

Subd. 3. [PUBLICATION; SUSPENSION, CHANGE OF DATE OR PLACE.] Suspension of publication for a period of not more than three consecutive months resulting from the destruction of its known office of issue, equipment or other facility by the elements, unforeseen accident, or acts of God, or by reason of a labor dispute or *financial difficulties*, shall not affect the qualification of a newspaper which has become or remains a medium of official and legal publication pursuant to subdivisions 1 and 2; nor shall the consolidation of one newspaper with another published in the same county, nor any change in the name or ownership thereof, or the temporary change in the known office of issue, disqualify a newspaper or invalidate any publication continuously made therein, before and after the change; and any change of the day of publication, the frequency of publication, or the change of the known office of issue from one place to another within the same county shall not deprive any such publication of its standing as a medium of official and legal publication, or its designation as the official newspaper for the publication of the proceedings of any county board. Except as herein otherwise provided, suspension of publication, or any change of known office of issue from one county to another county, or failure to maintain its known office of issue in the county, shall deprive a newspaper of its standing as a medium of official and legal publication until such newspaper shall again have become qualified pursuant to the provisions of subdivision 1 of this section.

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 legal newspapers; allowing temporary suspension of publication due to financial difficulties; amending Minnesota Statutes 1982, section 331.02, subdivision 3."

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

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

S.F. No. 1994: A bill for an act relating to economic development; creating the Minnesota Manufacturing Growth Council; appropriating money; proposing new law coded in Minnesota Statutes, chapter 116J.

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

Pages 1 and 2, delete subdivisions 1 and 2

Page 2, line 9, delete "serve as" and insert "appoint the"

Page 2, line 14, delete "two" and insert "three"

Page 2, line 17, delete "establish" and insert "recommend"

Page 2, line 17, delete "a." and insert "(1)"

Page 2, line 19, delete "b." and insert "(2)"

Page 2, line 30, delete "c." and insert "(3)"

Page 2, line 32, delete "d." and insert "(4)"

Page 2, line 34, delete "e." and insert "(5)"

Page 2, line 36, delete "f." and insert "(6)"

Page 3, line 3, delete "g." and insert "(7)"

Page 3, line 6, delete "h." and insert "(8)"

Page 3, line 22, delete "i." and insert "(9)"

Page 3, line 26, delete "a limited" and insert "an unclassified"

Page 3, line 29, after the period, insert "*The governor is authorized to utilize loaned employees from the related private sector to provide staff for the council. No public money is to be expended for the purpose of staffing the council.*"

Subd. 4. The governor is authorized to accept and expend on behalf of the council money raised from Minnesota manufacturing concerns and such other nonpublic sources as may be appropriate."

Page 3, delete subdivision 6

Renumber the subdivisions in sequence

Page 3, after line 33, insert:

"Sec. 2. [REPEALER.]

Section 1 is repealed effective June 30, 1986."

Amend the title as follows:

Page 1, lines 3 and 4, delete "appropriating money;" and insert "providing for an expiration date;"

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

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

H.F. No. 950: A bill for an act relating to state government; governing compensation of members of boards, councils, and committees who are public employees; providing for per diem compensation for attendance of commissioners of the Northwest Minnesota Multi-County Housing and Redevelopment Authority at meetings; amending Minnesota Statutes 1982, sections 15.059, subdivision 3; and 214.09, subdivision 3; proposing new law coded in Minnesota Statutes, chapter 121.

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

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

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.

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

Page 7, line 34, delete "a" and delete "license" and insert "licenses" and delete "an"

Page 7, line 35, delete "establishment" and insert "establishments"

Page 9, line 27, after "dogs" insert "and cats"

Pages 11 and 12, delete section 16

Page 12, line 31, delete ", and except as provided in section 19"

Page 13, delete section 19

Page 15, line 7, delete the second "in"

Page 15, line 8, after "limits" insert "of"

Page 22, delete section 42 and insert:

"Sec. 40. Minnesota Statutes 1982, section 368.01, subdivision 1a, is amended to read:

Subd. 1a. [CERTAIN OTHER TOWNS.] Any town with a population of 1,000 or more according to the most recent federal decennial census or special census or population estimate as provided in section 44 that does not otherwise qualify pursuant to subdivision 1 to exercise the powers enumerated in this section, shall have and possess the enumerated powers upon an affirmative vote of the electors of the town at the annual town meeting."

Page 24, line 18, delete "of a town"

Page 24, line 28, after the stricken "\$5,000" insert "\$15,000" and reinstate the stricken "in attorney's fees annually"

Page 24, line 29, reinstate the stricken language

Page 24, line 30, reinstate the stricken "the town" and delete "for the attorney's service"

Pages 24 and 25, delete section 48

Pages 25 and 26, delete section 50

Page 27, line 13, delete everything after "sections"

Page 27, line 15, delete "subdivision" and insert " subdivisions 17 and"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 3, delete "setting various"

Page 1, line 4, delete "conditions for elections;"

Page 1, line 10, delete "365.51;"

Page 1, line 15, delete "17" and insert "1a"

Page 1, line 16, delete "624.44;"

Page 1, line 17, after the second semicolon, insert "and" and after the last semicolon, delete "and"

Page 1, line 18, delete "429.011, subdivision 2b;"

Page 1, line 20, delete "160.21,"

Page 1, line 21, delete "subdivision 5;"

Page 1, line 22, delete the second "subdivision" and insert "subdivisions 17 and"

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. 1906: A bill for an act relating to collection and dissemination of data; classifying government data as public, private, and nonpublic; clarifying issues relating to classifications of data, access to data, the effect of death of individuals on classifications, and the temporary classification of data; refining provisions of the Data Practices Act; amending Minnesota Statutes 1982, sections 13.02, subdivision 8, and by adding a subdivision; 13.03, subdivisions 3 and 4, and by adding subdivisions; 13.04, subdivision 2; 13.05, subdivisions 3, 7, 9, 10, and by adding a subdivision; 13.06, subdivisions 1 and 6; 13.31, subdivision 2; 13.41, by adding a subdivision; 13.43, subdivision 2; 13.44; 13.65, subdivision 1; 13.67; and 13.72, by adding a subdivision; proposing new law coded in Minnesota Statutes, chapter 13.

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 13.02, subdivision 8, is amended to read:

Subd. 8. [INDIVIDUAL.] "Individual" means a ~~natural person~~ *human being, living or dead*. In the case of a minor or an individual adjudged mentally incompetent, "individual" includes a parent or guardian or an individual acting as a parent or guardian in the absence of a parent or guardian,

except that the responsible authority shall withhold data from parents or guardians, or individuals acting as parents or guardians in the absence of parents or guardians, upon request by the minor if the responsible authority determines that withholding the data would be in the best interest of the minor.

Sec. 2. Minnesota Statutes 1982, section 13.02, is amended by adding a subdivision to read:

Subd. 8a. [NOT PUBLIC DATA.] 'Not public data' means any government data which is classified by statute, federal law, or temporary classification as confidential, private, nonpublic, or protected nonpublic.

Sec. 3. Minnesota Statutes 1982, section 13.03, subdivision 3, is amended to read:

Subd. 3. [REQUEST FOR ACCESS TO DATA.] Upon request to a responsible authority or designee, a person shall be permitted to inspect and copy public government data at reasonable times and places, and if the person requests, he shall be informed of the data's meaning. The responsible authority or designee shall provide copies of public government data upon request. The responsible authority may require the requesting person to pay the actual costs of making, certifying and compiling the copies. If the responsible authority or designee is not able to provide copies at the time a request is made he shall supply copies as soon as reasonably possible.

When a request under this subdivision involves any person's receipt of copies of public government data that has commercial value and is an entire formula, pattern, compilation, program, device, method, technique, process, data base, or system developed with a significant expenditure of public funds by the agency, the responsible authority may charge a reasonable fee for the information in addition to the costs of making, certifying, and compiling the copies. Any fee charged must be clearly demonstrated by the agency to relate to the actual development costs of the information. The responsible authority, upon the request of any person, shall provide sufficient documentation to explain and justify the fee being charged.

If the responsible authority or designee determines that the requested data is classified so as to deny the requesting person access, the responsible authority or designee shall so inform the requesting person of the determination either orally at the time of the request, ~~and~~ or in writing as soon ~~thereafter~~ after that time as possible, and shall cite the ~~statute~~ specific statutory section, temporary classification, or specific provision of federal law on which the determination is based. Upon the request of any person denied access to data, the responsible authority or designee shall certify in writing that the request has been denied and cite the specific statutory section, temporary classification, or specific provision of federal law upon which the denial was based.

Sec. 4. Minnesota Statutes 1982, section 13.03, subdivision 4, is amended to read:

Subd. 4. [CHANGE IN CLASSIFICATION OF DATA.] The classification of data in the possession of an agency shall change if it is required to do so to comply with either judicial or administrative rules pertaining to the conduct of legal actions or with a specific statute applicable to the data in the possession of the disseminating or receiving agency.

If data on individuals is classified as both private and confidential by this chapter, or any other statute or federal law, the data is private.

To the extent that government data is disseminated to state agencies, political subdivisions, or statewide systems by another state agency, political subdivision, or statewide system, the data disseminated shall have the same classification in the hands of the agency receiving it as it had in the hands of the entity providing it.

Sec. 5. Minnesota Statutes 1982, section 13.03, is amended by adding a subdivision to read:

Subd. 6. [COURT ORDERS.] When the responsible authority is not a party to the action, not public data may be provided, pursuant to court order, to a party. The hearing examiner, arbitrator, or judicial officer shall decide whether to order the data to be released under the rules of civil, criminal, or administrative procedure appropriate to the action. The presiding officer shall consider whether the benefit to the party seeking the data outweighs the harm to the confidentiality interests of the agency maintaining the data, or of any person who has provided the data or who is identified in the data, or to the privacy interest of any individual identified in the data.

Sec. 6. Minnesota Statutes 1982, section 13.03, is amended by adding a subdivision to read:

Subd. 7. [CLASSIFICATION OF DATA UPON DEATH.] Upon the death of an individual who is the subject of stored data on individuals, that data shall retain the same classification as it had before his death.

Sec. 7. Minnesota Statutes 1982, section 13.03, is amended by adding a subdivision to read:

Subd. 8. [COPYRIGHT OF PATENT OF COMPUTER PROGRAMS.] Nothing in this chapter or any other statute shall be construed to prevent a state agency, statewide system, or political subdivision from acquiring a copyright or patent for a computer software program or components of a program.

Sec. 8. Minnesota Statutes 1982, section 13.04, subdivision 2, is amended to read:

Subd. 2. [INFORMATION REQUIRED TO BE GIVEN INDIVIDUAL.] An individual asked to supply private or confidential data concerning himself shall be informed of: (a) the purpose and intended use of the requested data within the collecting state agency, political subdivision, or statewide system; (b) whether he may refuse or is legally required to supply the requested data; (c) any known consequence arising from his supplying or refusing to supply private or confidential data; and (d) the identity of other persons or entities authorized by state or federal law to receive the data. This requirement shall not apply when an individual is asked to supply investigative data, pursuant to section 13.82, subdivision 5, to a law enforcement officer.

Sec. 9. Minnesota Statutes 1982, section 13.05, subdivision 3, is amended to read:

Subd. 3. [GENERAL STANDARDS FOR COLLECTION AND STORAGE.] Collection and storage of public, private or confidential data on

individuals and *the* use and dissemination of private and confidential data on individuals shall be limited to that necessary for the administration and management of programs specifically authorized by the legislature, *or* local governing body or mandated by the federal government.

Sec. 10. Minnesota Statutes 1982, section 13.05, subdivision 7, is amended to read:

Subd. 7. [PREPARATION OF SUMMARY DATA.] The use of summary data derived from private or confidential data on individuals under the jurisdiction of one or more responsible authorities ~~shall be~~ *is* permitted. Unless classified pursuant to section 13.06, *another statute, or federal law*, summary data is public. The responsible authority shall prepare summary data from private or confidential data on individuals upon the request of any person, ~~provided that if~~ the request is in writing and the cost of preparing the summary data is borne by the requesting person. The responsible authority may delegate the power to prepare summary data (1) to the administrative officer responsible for any central repository of summary data; or (2) to a person outside of its agency if the person, ~~in writing~~, sets forth, *in writing*, his purpose and agrees not to disclose, and the agency reasonably determines that the access will not compromise private or confidential data on individuals.

Sec. 11. Minnesota Statutes 1982, section 13.05, subdivision 9, is amended to read:

Subd. 9. [INTERGOVERNMENTAL ACCESS OF DATA.] A responsible authority shall allow another responsible authority access to data classified as not public only when the access is authorized or required by statute or federal law. An agency that supplies government data under this subdivision may require the requesting agency to pay the actual cost of supplying the data.

~~Data shall have the same classification in the hands of the agency receiving it as it had in the agency providing it.~~

Sec. 12. Minnesota Statutes 1982, section 13.05, subdivision 10, is amended to read:

Subd. 10. [INTERNATIONAL DISSEMINATION PROHIBITED.] No state agency or political subdivision shall transfer or disseminate any private or confidential data on individuals to the private international organization known as Interpol, *except through the Interpol-United States National Central Bureau, United States Department of Justice.*

Sec. 13. Minnesota Statutes 1982, section 13.06, subdivision 1, is amended to read:

Subdivision 1. [APPLICATION TO COMMISSIONER.] Notwithstanding the provisions of section 13.03, the responsible authority of a state agency, political subdivision, or statewide system may apply to the commissioner for permission to classify data or types of data on individuals as private or confidential, or data not on individuals as non-public or protected non-public, for its own use and for the use of other similar agencies, political subdivisions, or statewide systems on a temporary basis until a proposed statute can be acted upon by the legislature. The application for temporary classification is public.

Upon the filing of an application for temporary classification, the data which is the subject of the application shall be deemed to be classified as set forth in the application for a period of 45 days, or until the application is disapproved, *rejected*, or granted by the commissioner, whichever is earlier.

If the commissioner determines that an application has been submitted for purposes not consistent with this section, the commissioner may immediately reject the application, give notice of that rejection to the applicant, and return the application. When the applicant receives the notice of rejection from the commissioner, the data which was the subject of the application shall have the classification it had before the application was submitted to the commissioner.

Sec. 14. Minnesota Statutes 1982, section 13.06, subdivision 6, is amended to read:

Subd. 6. [EXPIRATION OF TEMPORARY CLASSIFICATION.] ~~Emergency classifications granted before July 1, 1979 are redesignated as temporary classifications. All A temporary classifications classification granted under this section prior to April 24, 1980 and still in effect, and all temporary classifications thereafter applied for and granted pursuant to this section shall expire on July 31, 1981 or expires 24 months after the classification it is granted, whichever occurs later.~~

Sec. 15. Minnesota Statutes 1982, section 13.31, subdivision 2, is amended to read:

Subd. 2. [PUBLIC DATA.] The names and addresses of applicants for and recipients of benefits ~~characterized as the urban homesteading, home ownership, and new housing programs operated by a housing and redevelopment authority in a city of the first class, aid, or assistance through programs administered by any political subdivision, state agency, or statewide system that are intended to assist with the purchase of housing or other real property are classified as public data on individuals.~~

Sec. 16. Minnesota Statutes 1982, section 13.31, subdivision 3, is amended to read:

Subd. 3. [PRIVATE DATA.] Unless otherwise provided by law, all other benefit data is private data on individuals, *and shall not be disclosed except pursuant to a valid court order or to an agent of the state agency, political subdivision, or statewide system, including appropriate law enforcement personnel, who are acting in an investigation or prosecution of a criminal or civil proceeding relating to the administration of a program described in subdivision 1.*

Sec. 17. Minnesota Statutes 1982, section 13.32, subdivision 3, is amended to read:

Subd. 3. Except as provided in subdivision 5, educational data is private data on individuals and shall not be disclosed except as follows:

- (a) Pursuant to section 13.05;
- (b) Pursuant to a valid court order;
- (c) Pursuant to a statute specifically authorizing access to the private data;
- (d) To disclose information in health and safety emergencies pursuant to

the provisions of 20 U.S.C., Section 1232g(b)(1)(I) and 45 C.F.R., Section 99.36 which are in effect on July 1, 1979;

(e) Pursuant to the provisions of 20 U.S.C., Sections 1232g(b)(1), (b)(4)(A), (b)(4)(B), (b)(1)(B), (b)(3) and 45 C.F.R., Sections 99.31, 99.32, 99.33, 99.34 and 99.35 which are in effect on July 1, 1979; or

(f) To appropriate health authorities ~~but only~~ to the extent necessary to administer immunization programs *and for epidemiologic investigations that the commissioner of health determines are necessary to prevent disease and disability to individuals in the public educational agency or institution in which the investigation is being conducted.*

Sec. 18. Minnesota Statutes 1982, section 13.41, is amended by adding a subdivision to read:

Subd. 5. [RELEASING DATA.] Any licensing agency may make any data classified as private or confidential pursuant to this section accessible to an appropriate person or agency if the licensing agency determines that failure to make the data accessible is likely to create a clear and present danger to public health or safety.

Sec. 19. Minnesota Statutes 1982, section 13.42, is amended by adding a subdivision to read:

Subd. 8. [INSURANCE TRUST DATA.] Data collected, created, or maintained by a trust set up to establish public employee insurance benefit plans under a joint powers agreement shall be treated as personnel data collected, created, or maintained by the employer on the employee.

Sec. 20. Minnesota Statutes 1982, section 13.43, subdivision 2, is amended to read:

Subd. 2. [PUBLIC DATA.] Except for employees described in subdivision 5, the following personnel data on current and former employees, volunteers, and independent contractors of a state agency, statewide system, or political subdivision and members of advisory boards or commissions is public: name; actual gross salary; salary range; contract fees; actual gross pension; the value and nature of employer paid fringe benefits; the basis for and the amount of any added remuneration, including expense reimbursement, in addition to salary; job title; job description; education and training background; previous work experience; date of first and last employment; the status of any complaints or charges against the employee, whether or not the complaint or charge resulted in a disciplinary action; and the final disposition of any disciplinary action and supporting documentation; work location; a work telephone number; badge number; honors and awards received; ~~data which accounts for the individual's work time~~ payroll time sheets or other comparable data that are only used to account for employee's work time for payroll purposes, except to the extent that release of time sheet data would reveal the employee's reasons for the use of sick or other medical leave or other not public data; and, city and county of residence.

Sec. 21. Minnesota Statutes 1982, section 13.44, is amended to read:

13.44 [PROPERTY COMPLAINT DATA.]

The ~~names~~ identities of individuals who register complaints with state

agencies or political subdivisions concerning violations of state laws or local ordinances concerning the use of real property are classified as confidential data, pursuant to section 13.02, subdivision 3.

Sec. 22. [13.58] [HOMESTEAD APPLICATION DATA.]

The following data collected and maintained by political subdivisions are classified as private data pursuant to section 13.02, subdivision 12: the social security account numbers and detailed financial data submitted by individuals who are applying for class 3cc homestead classifications pursuant to section 273.13.

Sec. 23. [13.59] [REDEVELOPMENT DATA.]

Subdivision 1. [PRIVATE DATA.] The following data collected in surveys of individuals conducted by cities and housing and redevelopment authorities for the purposes of planning development or redevelopment, are classified as private data pursuant to section 13.02, subdivision 12: the names and addresses of individuals and the legal descriptions of property owned by individuals.

Subd. 2. [NONPUBLIC DATA.] The following data collected in surveys of businesses conducted by cities and housing and redevelopment authorities, for the purposes of planning development or redevelopment, are classified as nonpublic data pursuant to section 13.02, subdivision 9: the names, addresses, and legal descriptions of business properties and the commercial use of the property to the extent disclosure of the use would identify a particular business.

Sec. 24. [13.61] [ECONOMIC ASSISTANCE DATA.]

The following data collected by home rule charter and statutory cities in their administration of the city economic development assistance program are classified as nonpublic data pursuant to section 13.02, subdivision 9:

(1) application data, except company names, addresses, and other data that identifies the applicant, until the application is approved by the city;

(2) application data, except company names, addresses, and other data that identifies the applicant, that pertains to companies whose applications have been disapproved;

(3) attachments to applications, including business and personal financial records, until the application is approved; and

(4) income tax returns, either personal or corporate, that are filed by applicants.

Sec. 25. [13.62] [ELECTED OR APPOINTED OFFICIALS; FINANCIAL DISCLOSURE STATEMENTS.]

Financial disclosure statements of elected or appointed officials which, by requirement of the political subdivision, are filed with the political subdivision, are public data on individuals if required by the political subdivision to be public.

Sec. 26. [13.64] [DEPARTMENT OF ADMINISTRATION DATA.]

Notes and preliminary drafts of reports created, collected, or maintained by

the management analysis division, department of administration, and prepared during audits or investigations of state departments and agencies are classified as confidential or protected nonpublic data until the final report has been published or preparation of the report is no longer being actively pursued. Data that support the conclusions of the report and that the commissioner of administration reasonably believes will result in litigation are confidential or protected nonpublic until the litigation has been completed or until the litigation is no longer being actively pursued. Data on individuals that could reasonably be used to determine the identity of an individual supplying data for a report are private if (a) the data supplied by the individual were needed for an audit and (b) the data would not have been provided to the management analysis division without an assurance to the individual that his identity would remain private.

Sec. 27. Minnesota Statutes 1982, section 13.65, subdivision 1, is amended to read:

Subdivision 1. [PRIVATE DATA.] The following data created, collected, and maintained by the office of the attorney general are classified as private, pursuant to section 13.02, subdivision 12:

(a) The record, including but not limited to, the transcript and exhibits of all disciplinary proceedings held by a state agency, board, or commission, except in those instances where there is a public hearing;

(b) Communications and non-investigative files regarding administrative or policy matters which do not evidence final public actions;

(c) Consumer complaint data, other than that data classified as confidential, including consumers' complaints against businesses and follow-up investigative materials; and

(d) Investigative data, obtained in anticipation of, or in connection with litigation or an administrative proceeding where the investigation is not currently active; and

(e) *Data collected by the consumer division of the attorney general's office in its administration of the home prevention hotline including: the name, address, and telephone number of the consumer; the name and address of the mortgage company; the total amount of the mortgage; the amount of money needed to bring the delinquent mortgage current; the consumer's place of employment; the consumer's total family income; and the history of attempts made by the consumer to renegotiate a delinquent mortgage.*

Sec. 28. Minnesota Statutes 1982, section 13.67, is amended to read:

13.67 [EMPLOYEE RELATIONS DATA.]

The following data collected, created, or maintained by the department of employee relations are classified as nonpublic data pursuant to section 13.02, subdivision 9:

(a) The commissioner's plan prepared by the department, pursuant to section 3.855, which governs the compensation and terms and conditions of employment for employees not covered by collective bargaining agreements until the plan is submitted to the legislative commission on employee relations;

(b) Data pertaining to grievance or interest arbitration that has not been presented to the arbitrator or other party during the arbitration process; and

(c) Notes and preliminary drafts of reports prepared during personnel investigations and personnel management reviews of state departments and agencies; and

(d) *The managerial plan prepared by the department pursuant to section 43A.18 that governs the compensation and terms and conditions of employment for employees in managerial positions, as specified in section 43A.18, subdivision 3, and for employees in the career executive service pursuant to section 43A.18, subdivision 3, clause (c), until the plan is submitted to the legislative commission on employee relations.*

Sec. 29. Minnesota Statutes 1982, section 13.69, is amended by adding a subdivision to read:

Subd. 3. [REVIEW PANEL DATA.] The identities of individuals who serve on the medical review and alcohol review panels, which advise the commissioner of public safety on issues affecting the reinstatement of driving privileges, are classified as private data pursuant to section 13.02, subdivision 12.

Sec. 30. Minnesota Statutes 1982, section 13.72, is amended by adding a subdivision to read:

Subd. 3. [MOTOR VEHICLE CARRIER INVESTIGATIVE DATA.] Data collected by the department of transportation as part of an active investigation undertaken for the purpose of pursuing law enforcement action against a person, other than an individual, for a violation of chapter 221, or a rule or order issued pursuant to that chapter, is classified as protected non-public data pursuant to section 13.02, subdivision 13.

Sec. 31. [13.74] [ENVIRONMENTAL QUALITY DATA.]

The following data collected and maintained by the environmental quality board are classified as private data pursuant to section 13.02, subdivision 12: the names and addresses of individuals who submitted information and letters concerning personal health problems associated with high voltage transmission lines.

Sec. 32. [13.75] [DEPARTMENT OF ENERGY AND ECONOMIC DEVELOPMENT DATA.]

All financial information on individuals and business entities, including credit reports, financial statements, and net worth calculations, that are contained in applications received by the department of energy and economic development in its administration of the certified state development loan program and the Indian business development loan program are classified as private data with regard to data on individuals pursuant to section 13.02, subdivision 12, and as nonpublic data with regard to data not on individuals pursuant to section 13.02, subdivision 9. If an individual or business entity receives assistance under the certified state development loan program or the Indian business development loan program, the financial data contained in the application becomes public.

Sec. 33. Minnesota Statutes 1982, section 144.335, subdivision 2, is

amended to read:

Subd. 2. [PATIENT ACCESS.] Upon request a provider shall supply to a patient complete and current information possessed by that provider concerning any diagnosis, treatment and prognosis of the patient in terms and language the patient can reasonably be expected to understand.

Upon a patient's written request, a provider at a reasonable cost to the patient shall furnish to the patient: ~~(a) copies of the patient's health record, including but not limited to laboratory reports, x-rays, prescriptions, and other technical information used in assessing the patient's health condition;~~ ~~(b), or the pertinent portion of the record relating to a specific condition; or (c) specified by the patient. With the consent of the patient, the provider may instead furnish only a summary of the record.~~

Subd. 2a. [EXCEPTION; NONFACILITY PROVIDERS.] *Notwithstanding the provisions of subdivision 2, if a provider, as defined in subdivision 1, clause (b) (1), reasonably determines that the information is detrimental to the physical or mental health of the patient, or is likely to cause the patient to harm himself or another, he may withhold the information from the patient and may supply the information may be supplied to an appropriate third party or to another provider, as defined in subdivision 1, clause (b) (1). The other provider or third party may release the information to the patient.*

A provider as defined in subdivision 1, clause (b)(2), shall release information upon written request unless, prior to the request, a provider as defined in subdivision 1, clause (b)(1), has designated and described the specific basis for withholding the information as provided by this subdivision.

Sec. 34. [EFFECTIVE DATE.]

Sections 1 to 33 are effective the day following final enactment. Section 18 is repealed August 1, 1985."

Amend the title as follows:

Page 1, line 8, after the semicolon, insert "clarifying issues relating to patient access to medical records;"

Page 1, line 12, after "9," insert "and" and delete ", and by adding a subdivision"

Page 1, line 13, after "13.31," delete "subdivision" and insert "subdivisions" and after "2" insert "and 3"

Page 1, line 14, before "13.41" insert "13.32, subdivision 3;" and before "13.43" insert "13.42, by adding a subdivision;"

Page 1, line 15, delete "and" and insert "13.69, by adding a subdivision;"

Page 1, line 16, after the semicolon, insert "and 144.335, subdivision 2;"

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

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

H.F. No. 1421 for comparison with companion Senate File, reports the following House File was found not identical with companion Senate File as

follows:

SPECIAL ORDERS		CONSENT CALENDAR		CALENDAR	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
1421	1386				

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H.F. No. 1421 be amended as follows:

Delete all the language after the enacting clause of H.F. No. 1421 and insert the language after the enacting clause of S.F. No. 1386, the first engrossment; further, delete the title of H.F. No. 1421 and insert the title of S.F. No. 1386, the first engrossment.

And when so amended H.F. No. 1421 will be identical to S.F. No. 1386, and further recommends that H.F. No. 1421 be given its second reading and substituted for S.F. No. 1386, and that the Senate File be indefinitely postponed.

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

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

H.F. No. 1809 for comparison with companion Senate File, reports the following House File was found identical and recommends the House File be given its second reading and substituted for its companion Senate File as follows:

SPECIAL ORDERS		CONSENT CALENDAR		CALENDAR	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
1809	1785				

and that the above Senate File be indefinitely postponed.

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

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

H.F. No. 1606 for comparison with companion Senate File, reports the following House File was found identical and recommends the House File be given its second reading and substituted for its companion Senate File as follows:

SPECIAL ORDERS		CONSENT CALENDAR		CALENDAR	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
1606	2131				

and that the above Senate File be indefinitely postponed.

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

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

which was referred

H.F. No. 1010 for comparison with companion Senate File, reports the following House File was found identical and recommends the House File be given its second reading and substituted for its companion Senate File as follows:

SPECIAL ORDERS		CONSENT CALENDAR		CALENDAR	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
		1010	2179		

and that the above Senate File be indefinitely postponed.

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

SECOND READING OF SENATE BILLS

S.F. Nos. 2123, 2190, 2000, 966, 1007, 21, 2072, 1906, 2209 and 2210 were read the second time.

SECOND READING OF HOUSE BILLS

H.F. Nos. 1058, 2150, 1421, 1809, 1606 and 1010 were read the second time.

MOTIONS AND RESOLUTIONS

Mrs. McQuaid moved that her name be stricken as a co-author to S.F. No. 1298. The motion prevailed.

Mr. Pogemiller moved that the name of Mr. Merriam be added as a co-author to S.F. No. 1336. The motion prevailed.

Mr. Merriam moved that the name of Mr. Ramstad be stricken as a co-author and the name of Mr. Wegscheid be added as a co-author to S.F. No. 1514. The motion prevailed.

Mr. Wegscheid moved that the name of Mr. Benson be added as a co-author to S.F. No. 1880. The motion prevailed.

Mr. Merriam moved that the name of Mr. Jude be added as a co-author to S.F. No. 2044. The motion prevailed.

Mr. DeCramer introduced—

Senate Resolution No. 104: A Senate resolution congratulating Minnesota's first bar, the Silver Dollar Bar at Ghent, Minnesota, upon the celebration of its fiftieth anniversary.

Referred to the Committee on Rules and Administration.

CONFIRMATION

Mr. Merriam moved that the report from the Committee on Agriculture and Natural Resources, reported April 12, 1984, pertaining to appointments, be taken from the table. The motion prevailed.

Mr. Merriam moved that the foregoing report be now adopted. The motion prevailed.

Mr. Merriam moved that in accordance with the report from the Committee on Agriculture and Natural Resources, reported April 12, 1984, the Senate, having given its advice, do now consent to and confirm the appointments of:

BOARD OF ANIMAL HEALTH

Jack Delaney, Rural Route #1, Lake Benton, Lincoln County, effective June 6, 1983, for a term expiring the first Monday in January, 1987.

Herbert Halvorson, Rural Route #2, Hanska, Brown County, effective June 6, 1983, for a term expiring the first Monday in January, 1987.

MINNESOTA ENVIRONMENTAL QUALITY BOARD

Barbara L. Hughes, 548 Rice Creek Ter., Fridley, Anoka County, effective March 25, 1983, for a term expiring the first Monday in January, 1987.

Mary A. Arneson, 4754 Upton Ave. S., Minneapolis, Hennepin County, effective March 25, 1983, for a term expiring the first Monday in January, 1987.

MINNESOTA POLLUTION CONTROL AGENCY

Janet Green, 10550 Old North Shore Rd., Duluth, St. Louis County, effective March 25, 1983, for a term expiring the first Monday in January, 1987.

Edward Fairbanks, Route 3, Box 867, Bemidji, Beltrami County, effective March 25, 1983, for a term expiring the first Monday in January, 1987.

Steve J. Gadler, 2120 Carter Ave., St. Paul, Ramsey County, effective March 25, 1983, for a term expiring the first Monday in January, 1987.

Marcia R. Gelpe, 875 Summit Ave., St. Paul, Ramsey County, effective January 3, 1984, for a term expiring the first Monday in January, 1988.

Duane A. Dahlberg, 421 Horn Ave. S., Moorhead, Clay County, effective January 3, 1984, for a term expiring the first Monday in January, 1988.

MINNESOTA WATER RESOURCES BOARD

Georgia L. Holmes, 414 South Ave., North Mankato, Nicollet County, effective June 6, 1983, for a term expiring the first Monday in January, 1987.

Peggy Lynch, 1621 Beechwood Ave., St. Paul, Ramsey County, effective October 20, 1983, for a term expiring the first Monday in January, 1987.

The motion prevailed. So the appointments were confirmed.

MOTIONS AND RESOLUTIONS - CONTINUED

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

CONSENT CALENDAR

S.F. No. 2168: A bill for an act relating to transportation; highways; re-

quiring certain loads of firewood to be securely covered or fastened; amending Minnesota Statutes 1982, section 169.81, subdivision 5.

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 55 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

SUSPENSION OF RULES

Without objection, the rules of the Senate were so far suspended as to waive the lie-over requirement.

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.

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 58 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

MOTIONS AND RESOLUTIONS - CONTINUED

CONFIRMATION

Mr. Dieterich moved that the report from the Committee on Public Utilities and State Regulated Industries, reported April 11, 1984, pertaining to ap-

pointments, be taken from the table. The motion prevailed.

Mr. Dieterich moved that the foregoing report be now adopted. The motion prevailed.

Mr. Dieterich moved that in accordance with the report from the Committee on Public Utilities and State Regulated Industries, reported April 11, 1984, the Senate, having given its advice, do now consent to and confirm the appointments of:

PUBLIC UTILITIES COMMISSION

Cynthia Kitlinski, 9600 Flintwood St. N.W., Coon Rapids, Anoka County, effective September 14, 1983, for a term expiring January 1, 1989.

Harry S. Crump, 10908 Pioneer Dr., Burnsville, Dakota County, effective January 3, 1984, for a term expiring the first Monday in January, 1990.

The motion prevailed. So the appointments were confirmed.

MOTIONS AND RESOLUTIONS - CONTINUED

Mr. Willet moved that H.F. No. 2314 be taken from the table and given its second reading. The motion prevailed.

H.F. No. 2314: A bill for an act relating to capital improvements; authorizing spending to acquire and to better public land and buildings and other public improvements of a capital nature with certain conditions; reducing and canceling certain appropriations; authorizing issuance of state bonds; appropriating money; amending Minnesota Statutes 1982, sections 16.72, subdivision 7; 85A.04, subdivision 3; 475A.03, subdivision 1; 475A.05, subdivision 1, and by adding a subdivision; 475A.06, subdivision 7; and Laws 1983, chapter 344, section 6, subdivision 8; repealing Laws 1981, chapter 275; and chapter 334, section 11, subdivision 4; and Laws 1982, chapter 639, section 5.

H.F. No. 2314 was read the second time.

SUSPENSION OF RULES

Mr. Willet moved that an urgency be declared within the meaning of Article IV, Section 19, of the Constitution of Minnesota, with respect to H. F. No. 2314 and that the rules of the Senate be so far suspended as to give H. F. No. 2314 its third reading and place it on its final passage. The motion prevailed.

Mr. Willet moved to amend H.F. No. 2314 as follows:

Delete everything after the enacting clause, and delete the title, of H.F. No. 2314, and insert the language after the enacting clause, and the title, of S.F. No. 2209, as introduced.

The motion prevailed. So the amendment was adopted.

Mr. Hughes moved to amend H. F. No. 2314, as amended by the Senate, adopted April 13, 1984, as follows:

(The text of the amended House File is identical to S. F. No. 2209.)

Page 12, after line 23, insert:

"This appropriation may not be expended for construction plans until the capitol area architectural and planning board has reviewed the site analysis and plans for the capitol annex building previously prepared and has reported to the legislature by January 1, 1985 its recommendations concerning the feasibility of constructing the state history center on the site formerly proposed for the capitol annex."

Mr. Hughes then moved to amend the Hughes amendment to H.F. No. 2314 as follows:

Page 1 of the Hughes amendment, after line 5, insert:

"Page 5, line 34, delete "2,350,000" and insert "2,400,000"

Page 5, after line 45, insert:

"(d) Design framework study for state history center on the site formerly proposed for the capitol annex \$50,000"

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

The question recurred on the Hughes amendment, as amended. The motion prevailed. So the Hughes amendment, as amended, was adopted.

Mr. Storm moved to amend H.F. No. 2314, as amended by the Senate April 13, 1984, and by the Hughes amendment adopted April 13, 1984, as follows:

(The text of the amended House File is identical to S.F. No. 2209.)

Page 5, line 34, delete "2,400,000" and insert "150,000"

Page 5, delete lines 35 and 36

Page 5, line 37, delete "(c)"

Correct the summary totals accordingly

CALL OF THE SENATE

Mr. Willet imposed a call of the Senate for the balance of the proceedings on H.F. No. 2314. The Sergeant at Arms was instructed to bring in the absent members.

The question recurred on the amendment of Mr. Storm. The motion did not prevail. So the amendment was not adopted.

Mr. Dieterich moved to amend H.F. No. 2314, as amended by the Senate April 13, 1984, as follows:

(The text of the amended House File is identical to S.F. No. 2209.)

Page 12, delete lines 22 and 23

Reletter the clauses in sequence

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

Mrs. Adkins moved to amend H.F. No. 2314, as amended by the Senate April 13, 1984, as follows:

(The text of the amended House File is identical to S.F. No. 2209.)

Page 59, line 15, strike "1983" and insert "1984"

Page 59, line 15, strike "tendered" and insert "*on Minnesota pollution control agency fiscal year 1984 approved project list*" and delete "1983" and insert "1984"

The motion prevailed. So the amendment was adopted.

Mr. Renneke moved to amend H.F. No. 2314, as amended by the Senate April 13, 1984, as follows:

(The text of the amended House File is identical to S.F. No. 2209.)

Page 6, line 33, delete everything after "4."

Page 6, delete lines 34 to 42

Delete page 7

Page 8, delete lines 1 to 3

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

Mr. Anderson moved to amend H.F. No. 2314, as amended by the Senate April 13, 1984, as follows:

(The text of the amended House File is identical to S.F. No. 2209.)

Page 2, delete line 4

Page 8, delete section 6

Renumber the sections in sequence

Correct the summary totals accordingly

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

H.F. No. 2314 was read the third time, as amended, and placed on its final passage.

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

The roll was called, and there were yeas 63 and nays 2, as follows:

Those who voted in the affirmative were:

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

Messrs. Benson and Kamrath voted in the negative.

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

MOTIONS AND RESOLUTIONS - CONTINUED

Mr. Willet moved that S.F. No. 2209, on Special Orders, be stricken and laid on the table. The motion prevailed.

Without objection, the Senate reverted to the Order of Business of Messages From the House.

MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to announce that the House refuses to concur in the Senate amendments to House File No. 1393:

H.F. No. 1393: A bill for an act relating to education; providing for aids to education, tax levies, and the distribution of tax revenues; modifying the foundation aid formula; granting certain powers and duties to school boards, school districts, the state board of education, the commissioner of education, the department of education, the state board of vocational-technical education, the state director of vocational-technical education, the higher education coordinating board, and others; providing for an equalized summer school aid and levy; increasing the community education aid and levy; modifying the vocational instructional aid payment formula; establishing a schools of excellence program; requiring an arts education study; expanding in-service and instructional effectiveness training programs; improving the planning, evaluation, and reporting process; establishing assessment programs; establishing a research and development grant program; appropriating money; amending Minnesota Statutes 1982, sections 121.908, by adding a subdivision; 121.935, subdivisions 2 and 6; 121.936, subdivision 1; 122.532, by adding a subdivision; 123.36, subdivision 10; 123.74; 123.741, as amended; 123.742, as amended; 124.19, by adding a subdivision; 124.20; 124.201, subdivision 1; 124.214, subdivision 1; 124.565, subdivision 7; 136A.02, subdivision 6; 275.125, by adding subdivisions; 465.721; 471.61, subdivisions 1 and 2a; Minnesota Statutes 1983 Supplement, sections 120.17, subdivision 3b; 121.601; 121.608; 121.609; 121.904, subdivision 4a; 123.36, subdivision 13; 123.743; 124.155, subdivision 1; 124.195, subdivisions 1, 9, and 10; 124.201, subdivisions 2, 4, and 5; 124.2122; 124.2126, subdivision 3; 124.2138; 124.271, subdivision 2b; 124.5615, subdivision 5; 124.5629; 124A.06, subdivision 1; 124A.12, subdivision 1; 124A.14, subdivision 1; 124A.16, subdivision 4; 125.032, subdivision 2; 129B.32, subdivision 3; 129B.36, by adding a subdivision; 136C.04, by adding a subdivision; 275.125, subdivisions 2e, 2k, 8, 8a, 9b, 11a, and 11c; 298.28, subdivision 1; 466.06; 475.61, subdivision 3; Laws 1976, chapter 20, section 5, subdivision 1; Laws 1983, chapter 314, article 6, section 34, subdivision 12; article 7, section 45; article 8, section 23; and article 9, section 14, subdivision 3; proposing new law coded in Minnesota Statutes, chapters 121, 123, 124, and 136C; repealing Minnesota Statutes 1982, sections 124.201, as amended; 124.32, subdivisions 1a, 1e, and 2a; 125.60, subdivision 2a; and 275.125, subdivision 2g; and Minnesota Statutes 1983 Supplement, sections 124.32, subdivision 5a; and 275.125, subdivisions 2i and 2j.

The House respectfully requests that a Conference Committee of five members be appointed thereon.

Nelson, K.; McEachern; Anderson, B.; Levi and Schafer have been appointed as such committee on the part of the House.

House File No. 1393 is herewith transmitted to the Senate with the request that the Senate appoint a like committee.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted April 13, 1984

Mr. Nelson moved that the Senate accede to the request of the House for a Conference Committee on H.F. No. 1393, and that a Conference Committee of 5 members be appointed by the Subcommittee on Committees on the part of the Senate, to act with a like Conference Committee appointed on the part of the House. The motion prevailed.

RECESS

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

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

APPOINTMENTS

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

H.F. No. 1149: Mr. Peterson, R.W.; Mrs. Lantry and Mr. Storm.

H.F. No. 1516: Mr. Pogemiller, Ms. Olson and Mr. Samuelson.

S.F. No. 1810: Ms. Peterson, D.C.; Messrs. Petty and Belanger.

H.F. No. 1405: Messrs. Belanger, Merriam and Moe, D.M.

H.F. No. 1393: Messrs. Nelson; Pehler; Peterson, R.W.; Merriam and Peterson, D.L.

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

CONFERENCE COMMITTEE EXCUSED

Pursuant to Rule 21, Mr. Peterson, R.W. moved that the following members be excused for a Conference Committee on H.F. No. 1393 from 1:45 to 6:15 p.m.:

Messrs. Nelson; Pehler; Merriam; Peterson, D.L. and Peterson, R.W. The motion prevailed.

MOTIONS AND RESOLUTIONS - CONTINUED

Mr. Willet moved that H.F. No. 2317 be taken from the table. The motion prevailed.

H.F. No. 2317: A bill for an act relating to the organization and operation of state government; clarifying, providing for deficiencies in, and supplementing appropriations for the expenses of state government with certain

conditions; creating and modifying agencies and functions; fixing and limiting fees; requiring studies and reports; appropriating money; amending Minnesota Statutes 1982, sections 3.099, subdivisions 2 and 3; 3.30, subdivision 2; 3.3005; 10.12; 10.14; 10.15; 11A.08, subdivision 3; 15.0575, subdivision 3; 15.0597, subdivision 1; 16.026, subdivisions 3 and 7; 16.80, subdivision 1; 16A.04, subdivisions 1 and 4; 16A.06; 16A.065; 16A.125, subdivision 6; 16A.13, subdivisions 1 and 2; 16A.131, subdivision 1; 16A.14, subdivision 2; 16A.28; 16A.45; 16A.53; 16A.63; 16A.64, as amended; 16A.65; 16A.66, as amended; 16A.671; 16A.675; 43A.27, by adding a subdivision; 43A.30, by adding a subdivision; 84.085; 84A.53; 84A.54; 84B.03, by adding a subdivision; 94.16; 117.085; 117.195, subdivision 1; 117.232, subdivision 1; 125.031; 136.11, subdivisions 2 and 7; 136.506; 136.55, subdivision 2; 136A.81, subdivision 1; 144.413, subdivision 2; 144.414; 158.07; 158.08; 161.173; 161.174; 168.12, subdivisions 1 and 5; 168.33, subdivision 2; 169.966, subdivision 1a, and by adding a subdivision; 174.22, subdivisions 5, 10, and 13, and by adding a subdivision; 174.23, subdivisions 2 and 4; 174.24, subdivisions 1, 2, and 5; 174.265, subdivision 3; 179.741, subdivision 2; 214.001, subdivision 2; 214.13, subdivisions 1, 2, 3, and 5; 221.295; 239.10; 241.66, subdivision 2; 245.811; 256E.07, subdivision 1, and by adding subdivisions; 296.13; 299D.03, subdivision 2; 340.11, subdivision 11a; 345.47, subdivision 1, and by adding a subdivision; 345.525; 352.01, subdivision 2A; 359.01; 462A.05, subdivision 20; 473.121, subdivisions 7, 10, 18, 19, and by adding subdivisions; 473.146, subdivisions 3 and 4; 473.164; 473.167, subdivision 1; 473.168, subdivision 2; 473.181, subdivision 3; 473.223; 473.404; 473.405; 473.409; 473.411; 473.416; 473.435; 473.436, by adding a subdivision; 473.445; 473.446, subdivision 2a, and by adding subdivisions; and 473.449; Minnesota Statutes 1983 Supplement, sections 3.3026, subdivision 5; 3.732, subdivision 1; 10A.01, subdivision 18; 15A.081, subdivisions 1, 6, and 7; 16A.125, subdivision 5; 16A.15, subdivision 6; 16A.36; 16A.672; 43A.04, subdivision 8; 85.40, subdivision 5; 85.41, subdivisions 3, 4, and 5; 116J.70, subdivision 2a; 135A.03, subdivisions 1, 3, and 4; 135A.07, subdivision 2; 136.144; 136A.121, subdivision 2; 161.43; 161.44, subdivision 6a; 174.24, subdivision 3; 180.03, subdivision 2; 214.06, subdivision 1; 214.13, subdivision 4; 221.041, by adding a subdivision; 221.071, subdivision 1; 256.01, subdivision 2; 256B.501, subdivision 10; 256D.111, subdivision 2; 256D.112; 268.673, subdivision 5; 268.675; 268.676, subdivisions 1 and 2; 268.677; 268.686; 268.80; 268.81; 298.296, subdivision 1; 357.021, subdivision 2a; 462A.07, subdivision 15; 473.436, subdivision 6; 517.08, subdivision 1c; Laws 1983, chapter 199, section 17, subdivision 2; chapter 258, section 2, subdivision 7; chapter 290, section 172; chapter 293, sections 1; 2, subdivisions 2, 8, and 9; 4, subdivisions 1 and 3; and 6; chapter 301, sections 38, 39, 40, 41, and 42; proposing new law coded in Minnesota Statutes, chapters 13, 16, 16A, 18, 48, 84, 136, 161, 190, 214, 221, 246, 256B, 268, 349, and 473; proposing new law coded as Minnesota Statutes, chapters 16B, 40A, 119, and 494; repealing Minnesota Statutes 1982, sections 10.13; 16A.132; 16A.51; 16A.54; 16A.59; 16A.73; 84.82, subdivision 9; 120.83; 136.11, subdivision 6; 136A.133; 174.03, subdivision 5a; 174.24, subdivisions 3a and 4; 174.265; 174.31; 256E.07, subdivision 3; 473.401; 473.402; 473.403; 473.411, subdivision 1; 473.413, as amended; and 473.451; Minnesota Statutes 1983 Supplement, sections 120.801; 120.802; 120.803; 120.804; 120.805; 120.806; and 120.81; Laws 1983, chapter 289, section 102.

SUSPENSION OF RULES

Mr. Willet moved that an urgency be declared within the meaning of Ar-

ticle IV, Section 19, of the Constitution of Minnesota, with respect to H.F. No. 2317 and that the rules of the Senate be so far suspended as to give H.F. No. 2317 its second and third reading and place it on its final passage. The motion prevailed.

H.F. No. 2317 was read the second time.

Mr. Willet moved to amend H.F. No. 2317 as follows:

Delete everything after the enacting clause, and delete the title, of H.F. No. 2317, and insert the language after the enacting clause, and the title, of S.F. No. 2210, as introduced.

The motion prevailed. So the amendment was adopted.

Mr. Nelson moved to amend H.F. No. 2317, as amended by the Senate, adopted April 13, 1984, as follows:

(The text of the amended House File is identical to S. F. No. 2210.)

Page 5, delete lines 49 to 62

Page 6, delete lines 1 to 28 and insert:

“(d) Regional waste disposal system

7,000,000

This appropriation is from the general fund to pay part of the cost of constructing a regional waste disposal facility for the counties of Olmsted, Dodge, Mower, Fillmore, and Wabasha counties. This money shall be paid in the form of a grant to Olmsted County, but any amounts not expended for this purpose shall be returned to the state treasury.

This appropriation shall not be spent until: (1) a portion of former Rochester state hospital has been sold and all the net proceeds have been deposited in the state treasury and credited to the general fund; (2) Olmsted County has executed an agreement to provide a regional waste disposal facility for Dodge, Mower, Fillmore, and Wabasha counties, which shall specify how rates will be determined; rates shall be no greater than those charged to Olmsted County residents; and (3) Olmsted County has submitted to the chairman of the senate finance committee and the chairman of the house appropriations committee a report showing the terms of the sale, the items deducted from gross proceeds to arrive at net proceeds, and the agreements executed by the counties, and received their advisory recommendations on the payment of the grant; failure or refusal to make a recommendation promptly is deemed a negative recommendation.

Dodge, Mower, Fillmore, or Wabasha county, or all of them, may choose, by resolution of the county board adopted by August 1, 1984, not to participate in the regional waste disposal facility. Except for counties that have chosen not to participate in the facility, no money may be expended from this appropriation until all the named counties have executed the agreement.

The amount paid under this appropriation shall be one-half of the net proceeds, up to \$7,000,000. "Net proceeds" means the gross proceeds less: (1) the accumulated operating costs associated with the heating, maintenance, and provision of security for the unoccupied real property and its improvements for the period beginning December 29, 1982, and ending on the date of sale of the real property and its improvements; (2) costs incurred by Olmsted County for roof repairs previously made to hospital buildings and road improvements made necessary because of the sale of the property to the United States government; and (3) consultant fees and advertising costs related to the sale of the property."

The motion prevailed. So the amendment was adopted.

Mr. Stumpf moved to amend H.F. No. 2317, as amended by the Senate April 13, 1984, as follows:

(The text of the amended House File is identical to S.F. No. 2210.)

Page 61, delete lines 25 to 28 and insert:

"Subd. 2. [LAND SALES.] The portion of the money received from the sale of tax-forfeited lands that are held by the state pursuant to section 84A.07, 84A.26, or 84A.36, that would not be paid to the counties if all of the sale proceeds were deposited in the consolidated conservation fund, shall be deposited in the land acquisition account. The remaining amount shall be paid to the counties under section 84A.51 as if all of the sale proceeds were deposited in the consolidated conservation fund."

The motion prevailed. So the amendment was adopted.

Mr. Langseth moved to amend H.F. No. 2317, as amended by the Senate April 13, 1984, as follows:

(The text of the amended House File is identical to S.F. No. 2210.)

Page 23, after line 26, insert:

"The Minnesota historical society shall prepare a proposal for the legislature recommending a suitable memorial in the state capitol area commemorating the life and works of Roy Wilkins. The Minnesota historical society shall

solicit the advice of the National Association for the Advancement of Colored People and the capitol area architectural and planning board regarding the design and placement of the proposed memorial. The Minnesota historical society shall submit the proposal not later than February 1, 1985."

The motion prevailed. So the amendment was adopted.

Mr. Kroening moved to amend H.F. No. 2317, as amended by the Senate April 13, 1984, as follows:

(The text of the amended House File is identical to S.F. No. 2210.)

Page 109, line 16, after "*subdivision*" insert "*, provided that patients whose laboratory reports indicate a medical abnormality are referred by the doctor of chiropractic to a licensed physician for consultation.*"

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 39 and nays 25, as follows:

Those who voted in the affirmative were:

Anderson	Freeman	Kronebusch	Novak	Schmitz
Belanger	Isackson	Laidig	Olson	Sieloff
Benson	Johnson, D.E.	Lantry	Peterson, D.C.	Solon
Berglin	Jude	Lessard	Peterson, D.L.	Spear
Brataas	Kamrath	Luther	Peterson, R.W.	Storm
Diessner	Knaak	McQuaid	Petty	Ulland
Dieterich	Knutson	Mehrkens	Ramstad	Waldorf
Frederickson	Kroening	Nelson	Reichgott	

Those who voted in the negative were:

Adkins	Dahl	Frederick	Pehler	Stumpf
Berg	Davis	Johnson, D.J.	Pogemiller	Taylor
Bernhagen	DeCramer	Langseth	Purfeerst	Vega
Bertram	Dicklich	Merriam	Renneke	Wegscheid
Chmielewski	Frank	Moe, R. D.	Samuelson	Willet

The motion prevailed. So the amendment was adopted.

Mr. Sieloff moved to amend H.F. No. 2317, as amended by the Senate April 13, 1984, as follows:

(The text of the amended House File is identical to S.F. No. 2210.)

Page 109, delete section 1

Renumber the sections of article 3 in sequence

Amend the title as follows:

Page 1, line 39, delete "148.01, subdivision 3;"

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 7 and nays 46, as follows:

Those who voted in the affirmative were:

Dieterich	Hughes	Moe, D. M.	Sieloff	Ulland
Frederickson	Knaak			

Those who voted in the negative were:

Adkins	Diessner	Kronebusch	Olson	Solon
Anderson	Frank	Laidig	Peterson, D.C.	Stumpf
Benson	Freeman	Langseth	Petty	Taylor
Berg	Isackson	Lantry	Pogemiller	Vega
Berglin	Johnson, D.E.	Lessard	Purfeerst	Wegscheid
Bertram	Johnson, D.J.	Luther	Ramstad	Willet
Chmielewski	Jude	McQuaid	Reichgott	
Davis	Kamrath	Mehrkens	Renneke	
DeCramer	Knutson	Moe, R. D.	Samuelson	
Dicklich	Kroening	Novak	Schmitz	

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

Mr. Freeman moved to amend H.F. No. 2317 as amended by the Senate, adopted April 13, 1984, as follows:

(The text of the amended House File is identical to S.F. No. 2210.)

Page 60, line 23, delete "shall" and insert "need"

Page 60, line 24, after the period, insert "This provision may not be superseded by contract."

The motion prevailed. So the amendment was adopted.

Mr. Dieterich moved to amend H.F. No. 2317, as amended by the Senate April 13, 1984, as follows:

(The text of the amended House File is identical to S.F. No. 2210.)

Page 108, after line 19, insert:

"Sec. 107. [ROSEVILLE ON-SALE LIQUOR LICENSES.]

Notwithstanding the limitation contained in Minnesota Statutes, section 340.11, subdivision 5a, the city of Roseville may issue a maximum of 28 on-sale intoxicating liquor licenses."

Page 109, line 2, after "article" insert "except section 107"

Page 109, line 5, after the period, insert "Section 107 is effective upon approval by the Roseville city council and compliance with Minnesota Statutes, section 645.021."

Renumber the sections of article 2 in sequence

The motion prevailed. So the amendment was adopted.

Mr. Frederickson moved to amend H.F. No. 2317, as amended by the Senate April 13, 1984, as follows:

(The text of the amended House File is identical to S.F. No. 2210.)

Page 9, after line 22, insert:

"No money may be spent for the appearance in a radio or television broadcast of an elected public official."

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

Mr. Benson moved to amend H.F. No. 2317, as amended by the Senate April 13, 1984, as follows:

(The text of the amended House File is identical to S.F. No. 2210.)

Page 9, line 17, delete "Grants" and insert "Loans"

Page 9, line 21, delete "grants" and insert "loans"

Page 82, line 8, delete "GRANTS" and insert "LOANS"

Page 82, line 9, delete "grants" and insert "loans"

Page 82, line 13, before the period, insert "*and any additional rules necessary to provide for and secure the repayment of the loans*"

Page 82, line 15, delete "grant" and insert "loan"

Page 82, line 15, before the period, insert "*, except as different administrative measures are required because it is a loan program*"

Page 82, line 16, delete "GRANT" and insert "LOAN"

Page 82, line 17, delete "grant" and insert "loan"

Page 82, line 23, delete "GRANT" and insert "LOAN"

Page 82, line 25, delete "grants" and insert "loans"

Page 82, line 27, before the period, insert "*and any additional rules necessary to provide for and secure the repayment of the loans*"

Page 82, line 28, delete "grant" and insert "loan"

Page 82, line 30, delete "GRANT" and insert "LOAN"

Page 82, line 30, delete "grant" and insert "loan"

Page 82, line 34, delete "grant" and insert "loan"

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

Mr. Sieloff moved to amend H.F. No. 2317, as amended by the Senate April 13, 1984, as follows:

(The text of the amended House File is identical to S.F. No. 2210.)

Page 60, delete section 51, as amended by the Freeman amendment adopted April 13, 1984

Renumber the sections of article 2 in sequence

The motion prevailed. So the amendment was adopted.

Mr. Waldorf moved to amend H.F. No. 2317, as amended by the Senate April 13, 1984, as follows:

(The text of the amended House File is identical to S.F. No. 2210.)

Page 19, line 21, after the period, insert "No more than 20 percent of this appropriation may be expended for department of health personnel costs."

The motion prevailed. So the amendment was adopted.

Mr. Renneke moved to amend H.F. No. 2317, as amended by the Senate April 13, 1984, as follows:

(The text of the amended House File is identical to S.F. No. 2210.)

Page 10, delete lines 14 to 53

Reletter the paragraphs in sequence

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 28 and nays 36, as follows:

Those who voted in the affirmative were:

Anderson	Isackson	Kronebusch	Peterson, D.L.	Taylor
Belanger	Johnson, D.E.	Lessard	Ramstad	Ulland
Benson	Jude	McQuaid	Renneke	Waldorf
Berg	Kamrath	Mehrkens	Schmitz	Wegscheid
Bernhagen	Knaak	Moe, D. M.	Sieloff	
Frederick	Knutson	Olson	Storm	

Those who voted in the negative were:

Adkins	Diessner	Laidig	Pehler	Spear
Berglin	Dieterich	Langseth	Peterson, D.C.	Stumpf
Bertram	Frank	Lantry	Peterson, R.W.	Vega
Chmielewski	Frederickson	Luther	Petty	Willet
Dahl	Freeman	Merriam	Pogemiller	
Davis	Hughes	Moe, R. D.	Purfeerst	
DeCramer	Johnson, D.J.	Nelson	Reichgott	
Dicklich	Kroening	Novak	Samuelson	

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

Mr. Storm moved to amend H.F. No. 2317, as amended by the Senate April 13, 1984, as follows:

(The text of the amended House File is identical to S.F. No. 2210.)

Page 59, line 13, delete "*ten*" and insert "*five*"

Page 59, line 14, delete "*gross*" and insert "*total rented*"

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 17 and nays 34, as follows:

Those who voted in the affirmative were:

Anderson	Frank	Kamrath	McQuaid	Taylor
Belanger	Frederickson	Knaak	Mehrkens	
Benson	Isackson	Kronebusch	Olson	
Berg	Johnson, D.E.	Laidig	Storm	

Those who voted in the negative were:

Adkins	Dicklich	Lantry	Petty	Spear
Berglin	Dieterich	Lessard	Pogemiller	Stumpf
Bertram	Freeman	Luther	Purfeerst	Vega
Chmielewski	Hughes	Moe, D. M.	Reichgott	Waldorf
Dahl	Johnson, D.J.	Moe, R. D.	Samuelson	Wegscheid
Davis	Jude	Novak	Schmitz	Willet
DeCramer	Kroening	Peterson, D.C.	Sieloff	

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

Mr. Knaak moved to amend H.F. No. 2317, as amended by the Senate April 13, 1984, as follows:

(The text of the amended House File is identical to S.F. No. 2210.)

Page 10, delete line 62

Page 11, delete lines 1 to 13

Reletter the clauses in sequence

Pages 104 and 105, delete section 104

Renumber the sections of Article 2 in sequence

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 21 and nays 32, as follows:

Those who voted in the affirmative were:

Anderson	Frederick	Kamrath	McQuaid	Ulland
Belanger	Frederickson	Knaak	Mehrkins	
Benson	Isackson	Knutson	Olson	
Berg	Johnson, D.E.	Kronebusch	Sieloff	
Dieterich	Jude	Laidig	Storm	

Those who voted in the negative were:

Adkins	Dicklich	Lantry	Pogemiller	Stumpf
Berglin	Diessner	Lessard	Purfeerst	Vega
Bertram	Frank	Luther	Reichgott	Wegscheid
Chmielewski	Hughes	Moe, R. D.	Samuelson	Willet
Dahl	Johnson, D.J.	Novak	Schmitz	
Davis	Kroening	Peterson, D.C.	Solon	
DeCramer	Langseth	Petty	Spear	

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

Mr. Knaak then moved to amend H.F. No. 2317, as amended by the Senate April 13, 1984, as follows:

(The text of the amended House File is identical to S.F. No. 2210.)

Page 10, line 62, delete "100,000" and insert "50,000"

Page 11, line 5, delete "100,000" and insert "50,000"

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 20 and nays 31, as follows:

Those who voted in the affirmative were:

Anderson	Bernhagen	Isackson	Kronebusch	Olson
Belanger	Dieterich	Johnson, D.E.	Laidig	Sieloff
Benson	Frederick	Jude	McQuaid	Storm
Berg	Frederickson	Knaak	Mehrkins	Ulland

Those who voted in the negative were:

Adkins	Dicklich	Lantry	Purfeerst	Vega
Berglin	Diessner	Lessard	Reichgott	Wegscheid
Bertram	Frank	Luther	Samuelson	Willet
Chmielewski	Hughes	Moe, R. D.	Schmitz	
Dahl	Johnson, D.J.	Peterson, D.C.	Solon	
Davis	Kroening	Petty	Spear	
DeCramer	Langseth	Pogemiller	Stumpf	

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

Mr. Benson moved to amend H.F. No. 2317, as amended by the Senate April 13, 1984, as follows:

(The text of the amended House File is identical to S.F. No. 2210.)

Page 9, line 40, delete "temporary"

Page 81, line 10, strike "The commissioner of energy"

Page 81, lines 11 and 12, strike the old language and delete the new language

Page 81, line 13, strike everything before "The"

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

Mr. Dieterich moved to amend H.F. No. 2317, as amended by the Senate, adopted April 13, 1984, as follows:

(The text of the amended House File is identical to S.F. No. 2210.)

Page 108, line 33, delete "1.21; 1.23; 1.25;"

Amend the title as follows:

Page 2, lines 12 and 13, delete "1.21; 1.23; 1.25"

The motion prevailed. So the amendment was adopted.

Mr. Anderson moved to amend H.F. No. 2317, as amended by the Senate April 13, 1984, as follows:

(The text of the amended House File is identical to S.F. No. 2210.)

Page 9, line 32, after "must" insert "be a licensed professional engineer and"

Page 9, line 37, after the period, insert "The director must be a licensed professional engineer."

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 23 and nays 34, as follows:

Those who voted in the affirmative were:

Anderson	Brataas	Kamrath	McQuaid	Taylor
Belanger	Frederick	Knaak	Olson	Ulland
Benson	Frederickson	Knutson	Ramstad	Waldorf
Berg	Isackson	Kronebusch	Sieloff	
Bernhagen	Johnson, D.E.	Laidig	Storm	

Those who voted in the negative were:

Adkins	Diessner	Langseth	Peterson, D.C.	Solon
Berglin	Dieterich	Lantry	Petty	Spear
Bertram	Frank	Lessard	Pogemiller	Stumpf
Dahl	Freeman	Luther	Purfeerst	Vega
Davis	Johnson, D.J.	Moe, D. M.	Reichgott	Wegscheid
DeCramer	Jude	Moe, R. D.	Samuelson	Willet
Dicklich	Kroening	Novak	Schmitz	

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

Mr. Jude moved to amend H.F. No. 2317, as amended by the Senate April 13, 1984, as follows:

(The text of the amended House File is identical to S.F. No. 2210.)

Pages 90 to 94, delete section 88

Renumber the sections of Article 2 in sequence

Amend the title as follows:

Page 1, line 30, delete "398.09;"

The motion prevailed. So the amendment was adopted.

Mr. Anderson moved to amend H.F. No. 2317, as amended by the Senate April 13, 1984, as follows:

(The text of the amended House File is identical to S.F. No. 2210.)

Page 9, line 28, delete "656,000" and insert "633,000"

Page 9, line 35, delete "\$198,000" and insert "\$175,000"

Page 9, line 36, delete "\$53,000" and insert "\$30,000"

Correct the summary by fund accordingly

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 22 and nays 33, as follows:

Those who voted in the affirmative were:

Anderson	Brataas	Kamrath	Mehrrens	Storm
Belanger	Frederick	Knaak	Olson	Ulland
Benson	Frederickson	Kronebusch	Peterson, D.L.	
Berg	Isackson	Laidig	Ramstad	
Bernhagen	Johnson, D.E.	McQuaid	Sieloff	

Those who voted in the negative were:

Berglin	Dieterich	Lantry	Peterson, R.W.	Solon
Bertram	Frank	Lessard	Petty	Spear
Dahl	Freeman	Luther	Pogemiller	Stumpf
Davis	Johnson, D.J.	Merriam	Purfeerst	Vega
DeCramer	Jude	Moe, D. M.	Reichgott	Willet
Dicklich	Kroening	Moe, R. D.	Samuelson	
Diessner	Langseth	Peterson, D.C.	Schmitz	

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

RECONSIDERATION

Having voted on the prevailing side, Ms. Berglin moved that the vote whereby the Waldorf amendment to H.F. No. 2317 was adopted on April 13, 1984, be now reconsidered. The motion prevailed.

Mr. Waldorf moved to amend H.F. No. 2317, as amended by the Senate April 13, 1984, as follows:

(The text of the amended House File is identical to S.F. No. 2210.)

Page 19, line 21, after the period, insert "No more than 20 percent of this appropriation may be expended for department of health personnel costs."

The motion prevailed. So the amendment was adopted.

Mr. Isackson moved to amend H.F. No. 2317, as amended by the Senate April 13, 1984, as follows:

(The text of the amended House File is identical to S.F. No. 2210.)

Pages 169 to 171, delete section 27 and insert:

"Sec. 27. Minnesota Statutes 1983 Supplement, section 297B.09, is amended to read:

297B.09 [ALLOCATION OF REVENUE.]

Subdivision 1. [GENERAL FUND SHARE.] Money collected and received under this chapter must be deposited in the state treasury and credited as follows:

(a) All of the proceeds collected before July 1, ~~1985~~ 1984, must be credited to the general fund.

(b) Three-fourths of the proceeds collected after June 30, ~~1985~~ 1984, and before July 1, ~~1987~~ 1985, must be credited to the general fund.

(c) One-half of the proceeds collected after June 30, ~~1987~~ 1985, and before July 1, ~~1989~~ 1987, must be credited to the general fund.

(d) One-fourth of the proceeds collected after June 30, ~~1989~~ 1987, and before July 1, ~~1991~~ 1989, must be credited to the general fund.

(e) After June 30, ~~1991~~ 1989, none of the proceeds collected may be credited to the general fund.

Subd. 2. [HIGHWAY USER TAX DISTRIBUTION FUND AND TRANSIT ASSISTANCE FUND SHARE.] The proceeds collected under this chapter and not credited to the general fund must be deposited in the highway user tax distribution fund and the transit assistance fund for apportionment in the following manner:

(a) None of the proceeds collected before July 1, ~~1985~~ 1984, may be credited to either fund.

(b) 18.75 percent of the proceeds collected after June 30, ~~1985~~ 1984, and before July 1, ~~1987~~ 1985, must be credited to the highway user tax distribution fund for apportionment in the same manner and for the same purposes as other money in that fund. The remaining 6.25 percent of the proceeds must be credited to the transit assistance fund account to be appropriated to the commissioner of transportation for transit assistance within the state.

(c) 37.5 percent of the proceeds collected after June 30, ~~1987~~ 1985, and before July 1, ~~1989~~ 1987, must be credited to the highway user tax distribution fund for apportionment in the same manner and for the same purposes as other money in that fund. The remaining 12.5 percent of the proceeds must be credited to the transit assistance fund account to be appropriated to the commissioner of transportation for transit assistance within the state.

(d) 56.25 percent of the proceeds collected after June 30, ~~1989~~ 1987, and before July 1, ~~1991~~ 1989, must be credited to the highway user tax distribution fund for apportionment in the same manner and for the same purposes as other money in that fund. The remaining 18.75 percent of the proceeds must be credited to the transit assistance fund account to be appropriated to the commissioner of transportation for transit assistance within the state.

(e) 75 percent of the proceeds collected after June 30, ~~1991~~ 1989, must be credited to the highway user tax distribution fund for apportionment in the same manner and for the same purposes as other money in that fund. The remaining 25 percent of the proceeds must be credited to the transit assis-

tance fund account to be appropriated to the commissioner of transportation for transit assistance within the state."

CALL OF THE SENATE

Mr. Moe, R.D. imposed a call of the Senate for the balance of the proceedings on H.F. No. 2317. The Sergeant at Arms was instructed to bring in the absent members.

The question recurred on the amendment of Mr. Isackson.

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 23 and nays 35, as follows:

Those who voted in the affirmative were:

Anderson	Brataas	Kamrath	McQuaid	Sieloff
Belanger	Frederick	Knaak	Mehrkins	Storm
Benson	Frederickson	Knutson	Olson	Taylor
Berg	Isackson	Kronebusch	Peterson, D.L.	
Bernhagen	Johnson, D.E.	Laidig	Ramstad	

Those who voted in the negative were:

Adkins	Dicklich	Kroening	Moe, R. D.	Reichgott
Berglin	Diessner	Langseth	Novak	Samuelson
Bertram	Dieterich	Lantry	Pehler	Spear
Chmielewski	Frank	Lessard	Peterson, D.C.	Vega
Dahl	Freeman	Luther	Peterson, R.W.	Waldorf
Davis	Johnson, D.J.	Merriam	Petty	Wegscheid
DeCramer	Jude	Moe, D. M.	Pogemiller	Willet

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

Mr. Bernhagen moved to amend H.F. No. 2317, as amended by the Senate April 13, 1984, as follows:

(The text of the amended House File is identical to S.F. No. 2210.)

Pages 154 and 155, delete subdivision 1 and insert:

"Subdivision 1. [COUNTIES.] Each county, except for counties in the metropolitan area, may submit to the commissioner and to the regional development commission in which it is located, if one exists, a proposed agricultural land preservation plan and proposed official controls implementing the plan. To the extent practicable, submission of the proposal should coincide with the completion of the county soil survey. The commissioner, in consultation with the regional development commission, shall review the plan and controls for consistency with the elements in this chapter and shall submit written comments to the county within 90 days of receipt of the proposal. The comments must include a determination of whether the plan and controls are consistent with the elements in this chapter. The commissioner shall notify the county of its determination. If the commissioner determines that the plan and controls are consistent, the county may adopt the controls within 60 days of completion of the commissioner's review."

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 26 and nays 33, as follows:

Those who voted in the affirmative were:

Anderson	Brataas	Knaak	Mehrkens	Taylor
Belanger	Frederick	Knutson	Peterson, D.L.	Ulland
Benson	Frederickson	Kronebusch	Ramstad	
Berg	Isackson	Laidig	Sieloff	
Bernhagen	Johnson, D.E.	Lessard	Storm	
Bertram	Kamrath	McQuaid	Stumpf	

Those who voted in the negative were:

Adkins	Diessner	Langseth	Peterson, D.C.	Spear
Berglin	Dieterich	Lantry	Peterson, R.W.	Vega
Chmielewski	Frank	Luther	Petty	Waldorf
Dahl	Freeman	Merriam	Pogemiller	Wegscheid
Davis	Johnson, D.J.	Moe, D. M.	Purfeerst	Willet
DeCramer	Jude	Moe, R. D.	Reichgott	
Dicklich	Kroening	Pehler	Samuelson	

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

Mr. Langseth moved to amend H.F. No. 2317, as amended by the Senate April 13, 1984, as follows:

(The text of the amended House File is identical to S.F. No. 2210.)

Page 20, line 50, delete "and" and insert ". \$10,000,000"

The motion prevailed. So the amendment was adopted.

Mr. Berg moved to amend H.F. No. 2317, as amended by the Senate April 13, 1984, as follows:

(The text of the amended House File is identical to S.F. No. 2210.)

Page 162, delete lines 34 to 36

Page 163, delete lines 1 to 3

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 22 and nays 37, as follows:

Those who voted in the affirmative were:

Anderson	Frederickson	Knutson	Olson	Taylor
Benson	Isackson	Kronebusch	Ramstad	Ulland
Bernhagen	Johnson, D.E.	Laidig	Samuelson	
Brataas	Kamrath	McQuaid	Sieloff	
Frederick	Knaak	Mehrkens	Storm	

Those who voted in the negative were:

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

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

Mr. Ramstad moved to amend H.F. No. 2317, as amended by the Senate April 13, 1984, as follows:

(The text of the amended House File is identical to S.F. No. 2210.)

Reletter the clauses in sequence

Page 108, line 35, delete "section" and insert "sections" and after "4b" insert "; 85.40; 85.41; 85.42; 85.43; 85.44; and 85.45"

Amend the title as follows:

Page 2, line 17, delete "section" and insert "sections" and after "4b" insert "; 85.40; 85.41; 85.42; 85.43; 85.44; and 85.45"

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 28 and nays 31, as follows:

Those who voted in the affirmative were:

Adkins	Dieterich	Kamrath	Mehrkens	Sieloff
Anderson	Frederick	Knaak	Moe, D. M.	Storm
Belanger	Frederickson	Knutson	Olson	Taylor
Benson	Isackson	Kronebusch	Peterson, D.L.	Ulland
Bernhagen	Johnson, D.E.	Laidig	Ramstad	
Brataas	Jude	McQuaid	Samuelson	

Those who voted in the negative were:

Berglin	Frank	Lessard	Peterson, R.W.	Waldorf
Bertram	Freeman	Luther	Petty	Wegscheid
Dahl	Hughes	Merriam	Purfeerst	Willet
Davis	Johnson, D.J.	Moe, R. D.	Reichgott	
DeCramer	Kroening	Novak	Spear	
Dicklich	Langseth	Pehler	Stumpf	
Diessner	Lantry	Peterson, D.C.	Vega	

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

H.F. No. 2317 was read the third time, as amended, and placed on its final passage.

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

The roll was called, and there were yeas 45 and nays 19, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Anderson	Bernhagen	Knaak	McQuaid	Sieloff
Belanger	Dieterich	Knutson	Olson	Storm
Benson	Frederick	Kronebusch	Peterson, D.L.	Ulland
Berg	Kamrath	Laidig	Ramstad	

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

MOTIONS AND RESOLUTIONS - CONTINUED

Mr. Willet moved that S.F. No. 2210, on Special Orders, be stricken and

laid on the table. The motion prevailed.

Without objection, the Senate reverted to the Order of Business of Reports of Committees and Second Reading of Senate Bills.

REPORTS OF COMMITTEES

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

S.F. No. 1605: A bill for an act relating to taxation; imposing a tax on the transfer of motor vehicles; dedicating the proceeds of the tax for the screening or removal of salvage yards adjacent to trunk highways; appropriating money; amending Minnesota Statutes 1982, section 161.242, subdivisions 3 and 4; proposing new law coded in Minnesota Statutes, chapter 161.

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

Page 4, line 7, after "necessary" insert "(1)"

Page 4, line 8, after "4" insert "and (2) to make reimbursements to counties, on application by them, for the reasonable costs incurred by them in the enforcement of county ordinances regulating junkyards"

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

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

S.F. No. 1462: A bill for an act relating to domestic abuse; authorizing intervention by the juvenile court to protect children from domestic abuse; amending Minnesota Statutes 1982, section 518B.01, subdivisions 3 and 4; and Minnesota Statutes 1983 Supplement, section 518B.01, subdivision 6.

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 260.015, is amended by adding a subdivision to read:

Subd. 24. [DOMESTIC CHILD ABUSE.] "Domestic child abuse" means:

(1) any physical injury to a minor family or household member inflicted by an adult family or household member other than by accidental means; or

(2) subsection of a minor family or household member by an adult family or household member to any act which constitutes a violation of sections 609.321 to 609.324, 609.342, 609.343, 609.344, 609.345, 609.364 to 609.3644, or 617.246.

Sec. 2. Minnesota Statutes 1982, section 260.015, is amended by adding a subdivision to read:

Subd. 25. [FAMILY OR HOUSEHOLD MEMBERS.] "Family or household members" means spouses, former spouses, parents and children, per-

sons related by blood, and persons who are presently residing together or who have resided together in the past, and persons who have a child in common regardless of whether they have been married or have lived together at any time.

Sec. 3. Minnesota Statutes 1982, section 260.111, is amended by adding a subdivision to read:

Subd. 2a. [JURISDICTION OVER MATTERS RELATING TO DOMESTIC CHILD ABUSE.] The juvenile court has jurisdiction in proceedings concerning any alleged acts of domestic child abuse. In a jurisdiction which utilizes referees in dependency and neglect actions, the court or judge may refer actions under this subdivision to a referee to take and report the evidence in the action. If the respondent does not appear after service is duly made and proved, the court may hear and determine the proceeding as a default matter. Proceedings under this subdivision shall be given docket priority by the court.

Sec. 4. [260.133] [PROCEDURE; DOMESTIC CHILD ABUSE.]

Subdivision 1. [PETITION.] The local welfare agency may bring an emergency petition on behalf of minor family or household members seeking relief from acts of domestic child abuse. The petition shall allege the existence of or immediate and present danger of domestic child abuse, and shall be accompanied by an affidavit made under oath stating the specific facts and circumstances from which relief is sought.

Subd. 2. [TEMPORARY ORDER.] If it appears from the notarized petition or by sworn affidavit that there are reasonable grounds to believe the child is in immediate and present danger of domestic child abuse, the court may grant an ex parte temporary order for protection, pending a full hearing. The court may grant relief as it deems proper, including an order:

- (1) restraining any party from committing acts of domestic child abuse; or*
- (2) excluding the alleged abusing party from the dwelling which the family or household members share or from the residence of the child.*

However, no order excluding the alleged abusing party from the dwelling may be issued unless the court finds that:

- (1) the order is in the best interests of the child or children remaining in the dwelling;*
- (2) a remaining adult family or household member is able to care adequately for the child or children in the absence of the excluded party; and*
- (3) the local welfare agency has developed a plan to provide appropriate social services to the remaining family or household members.*

An ex parte temporary order for protection shall be effective for a fixed period not to exceed 14 days. Within five days of the issuance of the temporary order, the petitioner shall file a dependency and neglect petition with the court pursuant to section 260.131, and the court shall give docket priority to the petition.

The court may renew the temporary order for protection one time for a fixed period not to exceed 14 days if a dependency and neglect petition has

been filed with the court and if the court determines, upon informal review of the case file, that the renewal is appropriate.

Subd. 3. [SERVICE AND EXECUTION OF ORDER.] Any order issued under this section or section 5 shall be served personally upon the respondent. Where necessary, the court shall order the sheriff or constable to assist in service or execution of the order.

Subd. 4. [MODIFICATION OF ORDER.] Upon application, notice to all parties, and hearing, the court may modify the terms of an existing order for protection issued under this section or section 5.

Subd. 5. [RIGHT TO APPLY FOR RELIEF.] The local welfare agency's right to apply for relief on behalf of a child shall not be affected by the child's leaving the dwelling or household to avoid abuse.

Subd. 6. [REAL ESTATE.] Nothing in this section or section 5 shall affect the title to real estate.

Subd. 7. [OTHER REMEDIES AVAILABLE.] Any relief ordered under this section or section 5 shall be in addition to other available civil or criminal remedies.

Subd. 8. [COPY TO LAW ENFORCEMENT AGENCY.] An order for protection granted pursuant to this section or section 5 shall be forwarded by the clerk of court within 24 hours to the local law enforcement agency with jurisdiction over the residence of the child.

Each appropriate law enforcement agency shall make available to other law enforcement officers through a system of verification, information as to the existence and status of any order for protection issued pursuant to this section or section 5.

Sec. 5. Minnesota Statutes 1982, section 260.191, is amended by adding a subdivision to read:

Subd. 1a. [DOMESTIC CHILD ABUSE.] If the court finds that the child is a victim of domestic child abuse, as defined in section 1, it may order any of the following dispositions of the case in addition to or as alternatives to the dispositions authorized under subdivision 1:

- (1) restrain any party from committing acts of domestic child abuse;*
- (2) exclude the abusing party from the dwelling which the family or household members share or from the residence of the child;*
- (3) on the same basis as is provided in chapter 518, establish temporary visitation with regard to minor children of the adult family or household members;*
- (4) on the same basis as is provided in chapter 518, establish temporary support for a period of 30 days for minor children;*
- (5) provide counseling or other social services for the family or household members; or*
- (6) order the abusing party to participate in treatment or counseling services.*

Any relief granted by the order for protection shall be for a fixed period not

to exceed one year.

However, no order excluding the abusing party from the dwelling may be issued unless the court finds that:

(1) the order is in the best interests of the child or children remaining in the dwelling;

(2) a remaining adult family or household member is able to care adequately for the child or children in the absence of the excluded party; and

(3) the local welfare agency has developed a plan to provide appropriate social services to the remaining family or household members.

Sec. 6. [260.212] [ADMISSIBILITY OF TESTIMONY IN CRIMINAL PROCEEDING.]

Any testimony offered by a respondent in a hearing pursuant to section 5 is inadmissible in a criminal proceeding.

Sec. 7. [260.271] [VIOLATION OF AN ORDER FOR PROTECTION.]

Subdivision 1. [VIOLATION; PENALTY.] Whenever an order for protection is granted pursuant to section 4 or 5 restraining the person or excluding the person from the residence, and the respondent or person to be restrained knows of the order, violation of the order for protection is a misdemeanor.

Subd. 2. [ARREST.] A peace officer shall arrest without a warrant and take into custody a person whom the peace officer has probable cause to believe has violated an order granted pursuant to section 4 or 5 restraining the person or excluding the person from the residence, if the existence of the order can be verified by the officer.

Subd. 3. [CONTEMPT.] A violation of an order for protection shall also constitute contempt of court and the person violating the order shall be subject to the penalties for contempt.

Subd. 4. [ORDER TO SHOW CAUSE.] Upon the filing of an affidavit by the agency or any peace officer, alleging that the respondent has violated an order for protection granted pursuant to section 4 or 5, the court may issue an order to the respondent, requiring the respondent to appear and show cause within 14 days why he should not be found in contempt of court. The hearing may be held by the court in any county in which the child or respondent temporarily or permanently resides at the time of the alleged violation.

A peace officer is not liable under section 609.43, clause (1), for failure to perform a duty required by subdivision 2 of this section.

Sec. 8. Minnesota Statutes 1983 Supplement, section 388.051, subdivision 2, is amended to read:

Subd. 2. [SPECIAL PROVISION; GROSS MISDEMEANORS.] In Anoka, Carver, Dakota, Hennepin, Scott, and Washington counties, only the county attorney shall ~~only~~ prosecute gross misdemeanor violations of sections 290.53, subdivisions 4 and 8; 290.92, subdivision 15; 290A.11, subdivision 2; 297A.08; 297A.39, subdivisions 4 and 8; 297B.10; 609.255, subdivision 3; 609.377; 609.378; ~~and~~ 609.41; and 617.247.

Sec. 9. [EFFECTIVE DATE.]

Sections 1 to 7 apply to acts of domestic child abuse committed on or after August 1, 1984."

Delete the title and insert:

"A bill for an act relating to children; authorizing intervention by the juvenile court to protect children from abuse committed by family or household members; providing for prosecution by the county attorney of certain gross misdemeanors; amending Minnesota Statutes 1982, sections 260.015, by adding subdivisions; 260.111, by adding a subdivision; 260.191, by adding a subdivision; and Minnesota Statutes 1983 Supplement, section 388.051, subdivision 2; proposing new law coded in Minnesota Statutes, chapter 260."

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

Mr. Moe, R.D. moved the adoption of the foregoing committee reports. The motion prevailed.

SECOND READING OF SENATE BILLS

S.F. No. 1462 was read the second time.

MOTIONS AND RESOLUTIONS - CONTINUED

Without objection, the Senate proceeded to the Order of Business of Introduction and First Reading of Senate Bills.

INTRODUCTION AND FIRST READING OF SENATE BILLS

The following bill was read the first time and referred to the committee indicated.

Mrs. Kronebusch and Mr. Benson introduced—

S.F. No. 2211: A bill for an act relating to probate; allowing a minor to be a donor for purposes of the Uniform Anatomical Gift Act; amending Minnesota Statutes 1982, sections 525.922, subdivision 1; and 525.924, by adding a subdivision.

Referred to the Committee on Judiciary.

MOTIONS AND RESOLUTIONS - CONTINUED

Mr. Jude moved that H.F. No. 1651 be taken from the table and given its second reading. The motion prevailed.

H.F. No. 1651 was read the second time.

RECESS

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

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

Without objection, the Senate reverted to the Order of Business of Mes-

sages From the House.

MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to announce that the House refuses to concur in the Senate amendments to House File No. 2016:

H.F. No. 2016: A bill for an act relating to taxation; repealing the income tax surtax; modifying the designation of enterprise zones; increasing the funding for enterprise zones; modifying the definition of political party under the political contribution credit; providing an income tax credit for conservation tillage farm equipment; eliminating racehorses from the farm loss modification; permitting certain net operating loss carrybacks; permitting deduction of certain foreign taxes paid; allowing deduction of foreign dividends and royalties; modifying the definition of apportionment factors; restricting tax exemptions for redevelopment companies; changing the computation of the school agricultural credit retroactive to taxes payable in 1984 in certain cases; modifying the maximum targeting credit for payable 1984; providing a targeting credit for payable 1985; changing computation of certain local government aid payments; directing the department of revenue to issue guidelines on certain topics; instructing the commissioner to determine production value ratio; authorizing certain additional levies in counties; modifying the use of the sales ratio study as evidence in court; changing the methodology of the sales ratio study; changing certain property tax appeal procedures; imposing requirements for disaster relief credits; increasing agricultural aid to certain property; modifying the homestead credit provisions for certain property and providing refunds; changing the classification ratio maximum value on commercial and industrial property; limiting the property tax exemption for certain projects; repealing the exemption for franchise and special taxes and fees for certain projects; modifying the property tax refund with respect to certain claims; repealing rent capitalization; changing the estate tax; allowing the commissioner more discretion in valuing railroad property; providing for equalization of railroad valuations; authorizing the Ramsey-Washington metro watershed district to establish a maintenance and repair fund and levy taxes; creating the Croft historical park board; authorizing the board to levy taxes; authorizing the city of Cloquet to levy taxes for certain transit expenses; authorizing the conveyance of certain land in St. Louis County; clarifying the application of the mortgage registry tax to revolving lines of credit; changing the procedures for refunds of the motor fuels tax; reducing the sales tax rate for purchases of capital equipment and manufactured housing; exempting agricultural electricity, residential hot water district heating, and used manufactured housing from the sales tax; exempting certain sales by nonprofit organizations from the sales tax; exempting residential district heating from the St. Paul franchise tax; repealing the accelerated payment of sales tax; transferring motor vehicle excise tax proceeds to the highway user and transit funds; providing for the priority of certain liens securing revolving lines of credit; increasing the interest rate on state tax refunds; appropriating money; amending Minnesota Statutes 1982, sections 10A.31, subdivisions 3a and 5; 124.2131, subdivision 1; 270.80, subdivision 4; 270.84, subdivision 1; 270.86; 270.87; 270A.07, subdivision 5; 271.01, subdivision 5; 271.06, subdivision 6; 271.12; 273.123, by adding

subdivisions; 273.13, subdivisions 9 and 19; 287.05, by adding subdivisions; 290.01, subdivision 20e; 290.06, by adding a subdivision; 290.19, subdivision 1a; 290.21, by adding a subdivision; 290.92, subdivision 11; 290.936; 290A.04, by adding a subdivision; 290A.07, subdivision 2a; 291.075; 291.09, subdivision 1a; 291.132, subdivision 2; 291.18; 291.215, subdivision 1; 294.09, subdivision 1; 296.18, subdivisions 3 and 8; 297A.01, by adding subdivisions; 297A.15, by adding a subdivision; 297B.035, subdivision 3; 298.09, subdivision 4; 299.05; 462.651, subdivision 1, and by adding a subdivision; and 477A.13; Minnesota Statutes 1983 Supplement, sections 16A.15, subdivision 6; 124.2137, subdivision 1; 273.11, subdivision 1; 273.13, subdivisions 6 and 21; 273.1314, subdivisions 6, 8, and 15; 278.01, subdivision 1; 278.05, subdivision 4; 290.06, subdivision 11; 290.09, subdivision 29; 290.18, subdivision 2; 290.21, subdivision 4; 290.50, subdivision 1; 290.92, subdivision 13; 290.93, subdivision 9; 290A.03, subdivisions 8 and 13; 290A.04, subdivision 2e, and by adding a subdivision; 290A.05; 290A.07, subdivision 3; 291.005, subdivision 1; 291.03, subdivision 1; 291.09, subdivision 3a; 296.14, subdivision 4; 296.18, subdivision 1; 297A.02, subdivision 2, and by adding a subdivision; 297A.14; 297A.25, subdivision 1; 297A.27, subdivision 1; 297A.35, subdivision 1; 297B.09; and 477A.013, subdivision 1; Laws 1979, chapter 189, section 2; proposing new law coded in Minnesota Statutes, chapters 270, 507 and 508; repealing Minnesota Statutes 1982, sections 270.90; 291.015; 291.03, subdivisions 3, 4, 5, 6, and 7; 291.05; 291.051; 291.06; 291.065; 291.07; 291.08; 291.09, subdivision 5; 291.111; and 462.651, subdivision 2; Minnesota Statutes 1983 Supplement, sections 273.11, subdivision 7; 290.06, subdivisions 2e and 13; 297A.275; and 462.651, subdivision 3; and Laws 1983, chapter 342, article 1, section 8.

The House respectfully requests that a Conference Committee of five members be appointed thereon.

Tomlinson, Kelly, Eken, Redalen and Sieben have been appointed as such committee on the part of the House.

House File No. 2016 is herewith transmitted to the Senate with the request that the Senate appoint a like committee.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted April 13, 1984

Mr. Johnson, D.J. moved that the Senate accede to the request of the House for a Conference Committee on H.F. No. 2016, and that a Conference Committee of 5 members be appointed by the Subcommittee on Committees on the part of the Senate, to act with a like Conference Committee appointed on the part of the House. The motion prevailed.

Mr. President:

I have the honor to announce that the House refuses to concur in the Senate amendments to House File No. 2314:

H.F. No. 2314: A bill for an act relating to capital improvements; authorizing spending to acquire and to better public land and buildings and other public improvements of a capital nature with certain conditions; reducing and canceling certain appropriations; authorizing issuance of state bonds; appro-

priating money; amending Minnesota Statutes 1982, sections 16.72, subdivision 7; 85A.04, subdivision 3; 475A.03, subdivision 1; 475A.05, subdivision 1, and by adding a subdivision; 475A.06, subdivision 7; and Laws 1983, chapter 344, section 6, subdivision 8; repealing Laws 1981, chapter 275; and chapter 334, section 11, subdivision 4; and Laws 1982, chapter 639, section 5.

The House respectfully requests that a Conference Committee of five members be appointed thereon.

Battaglia; Carlson, L.; Welch; Kalis and Carlson, D. have been appointed as such committee on the part of the House.

House File No. 2314 is herewith transmitted to the Senate with the request that the Senate appoint a like committee.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted April 13, 1984

Mr. Willet moved that the Senate accede to the request of the House for a Conference Committee on H.F. No. 2314, and that a Conference Committee of 5 members be appointed by the Subcommittee on Committees on the part of the Senate, to act with a like Conference Committee appointed on the part of the House. The motion prevailed.

Mr. President:

I have the honor to announce that the House refuses to concur in the Senate amendments to House File No. 1814:

H.F. No. 1814: A bill for an act relating to taxation; clarifying certain property tax credit provisions; providing that amounts to pay certain certificates are a special levy; providing for deduction of taconite aids from levy limit base; simplifying iron ore valuation hearing requirements; altering the process for determining flexible homestead brackets; allowing for the rounding of amounts of special assessments on tax statements; changing the date for the issuance of warrants for delinquent personal property taxes; providing for additional administrative procedures for cigarette tax collection; requiring annual payment of occupation taxes; changing payment method for production taxes; adopting certain procedures relating to liquor tax collections; authorizing county treasurers to charge for dishonored checks; amending Minnesota Statutes 1982, sections 273.1104, subdivision 2; 277.03; 298.09, subdivision 2; 298.27; 298.282, subdivision 3; 340.601; Minnesota Statutes 1983 Supplement, sections 124.2137, subdivision 1; 273.13, subdivision 7; 273.1311; 273.1315; 275.50, subdivision 5; 275.51, subdivision 3i; and 276.04; proposing new law coded in Minnesota Statutes, chapters 297; 340; and 385; repealing Minnesota Statutes 1982, sections 298.045; 298.046; 298.047; and 298.048.

The House respectfully requests that a Conference Committee of three members be appointed thereon.

Osthoff, Scheid and Kelly have been appointed as such committee on the part of the House.

House File No. 1814 is herewith transmitted to the Senate with the request that the Senate appoint a like committee.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted April 13, 1984

Mr. Johnson, D.J. moved that the Senate accede to the request of the House for a Conference Committee on H.F. No. 1814, and that a Conference Committee of 3 members be appointed by the Subcommittee on Committees on the part of the Senate, to act with a like Conference Committee appointed on the part of the House. The motion prevailed.

Mr. President:

I have the honor to announce that the House has acceded to the request of the Senate for the appointment of a Conference Committee, consisting of three members of the House, on the amendments adopted by the House to the following Senate File:

S.F. No. 1810: A bill for an act relating to insurance; homeowner's; providing certain notice requirements upon policy nonrenewal, reduction in the limits of coverage, or elimination of coverage; authorizing the commissioner to adopt rules; amending Minnesota Statutes 1982, section 65A.29, by adding subdivisions; repealing Minnesota Statutes 1982, section 65A.29, subdivision 2.

There has been appointed as such committee on the part of the House:

Riveness, Quinn and Knickerbocker.

Senate File No. 1810 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned April 13, 1984

RECESS

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

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

APPOINTMENTS

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

H.F. No. 2016: Messrs. Johnson, D.J.; Peterson, C.C.; Ms. Berglin, Messrs. Novak and Bernhagen.

H.F. No. 2314: Messrs. Waldorf, Dicklich, Langseth, Purfeerst and Taylor.

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

MEMBERS EXCUSED

Mr. Dieterich was excused from the Session of today from 11:00 to 11:30 a.m. Mr. Lessard was excused from the Session of today from 11:00 a.m. to

1:30 p.m. Mr. Peterson, C.C. was excused from the Session of today at 1:30 p.m. Mr. Renneke was excused from the Session of today at 4:00 p.m. Mr. Waldorf was excused from the Session of today from 3:10 to 3:30 p.m. Mr. Schmitz was excused from the Session of today at 5:45 p.m. Mr. Hughes was excused from the Session of today from 5:30 to 6:00 p.m.

ADJOURNMENT

Mr. Moe, R.D. moved that the Senate do now adjourn until 11:00 a.m., Saturday, April 14, 1984. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate