

SEVENTY-NINTH DAY

St. Paul, Minnesota, Monday, April 16, 1984

The Senate met at 12:00 noon and was called to order by the President.

Prayer was offered by the Chaplain, Rev. Tim Bauer.

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

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

April 14, 1984

The Honorable Jerome M. Hughes
President of the Senate

Dear Sir:

I have the honor of informing you that I have received, approved, signed and deposited in the Office of the Secretary of State, S.F. No. 1832.

Sincerely,
Rudy Perpich, Governor

REPORTS OF COMMITTEES

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

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

which was referred

H.F. No. 1502 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.
1502	1491				

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H.F. No. 1502 be amended as follows:

Delete all the language after the enacting clause of H.F. No. 1502 and insert the language after the enacting clause of S.F. No. 1491, the second engrossment; further, delete the title of H.F. No. 1502 and insert the title of S.F. No. 1491, the second engrossment.

And when so amended H.F. No. 1502 will be identical to S.F. No. 1491, and further recommends that H.F. No. 1502 be given its second reading and substituted for S.F. No. 1491, 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. 1878 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.
1878	1661				

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. 1656 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.
1656	1652				

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H.F. No. 1656 be amended as follows:

Delete all the language after the enacting clause of H.F. No. 1656 and

insert the language after the enacting clause of S.F. No. 1652, the first engrossment; further, delete the title of H.F. No. 1656 and insert the title of S.F. No. 1652, the first engrossment.

And when so amended H.F. No. 1656 will be identical to S.F. No. 1652, and further recommends that H.F. No. 1656 be given its second reading and substituted for S.F. No. 1652, 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. 1950 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.
1950	1680				

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. 2148 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.
2148	2054				

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H.F. No. 2148 be amended as follows:

Delete all the language after the enacting clause of H.F. No. 2148 and insert the language after the enacting clause of S.F. No. 2054, the first engrossment; further, delete the title of H.F. No. 2148 and insert the title of S.F. No. 2054, the first engrossment.

And when so amended H.F. No. 2148 will be identical to S.F. No. 2054, and further recommends that H.F. No. 2148 be given its second reading and substituted for S.F. No. 2054, 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. 322 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.
322	2091				

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H.F. No. 322 be amended as follows:

Delete all the language after the enacting clause of H.F. No. 322 and insert the language after the enacting clause of S.F. No. 2091, the first engrossment; further, delete the title of H.F. No. 322 and insert the title of S.F. No. 2091, the first engrossment.

And when so amended H.F. No. 322 will be identical to S.F. No. 2091, and further recommends that H.F. No. 322 be given its second reading and substituted for S.F. No. 2091, 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. 1806 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.
1806	1836				

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H.F. No. 1806 be amended as follows:

Delete all the language after the enacting clause of H.F. No. 1806 and insert the language after the enacting clause of S.F. No. 1836, the first engrossment; further, delete the title of H.F. No. 1806 and insert the title of S.F. No. 1836, the first engrossment.

And when so amended H.F. No. 1806 will be identical to S.F. No. 1836, and further recommends that H.F. No. 1806 be given its second reading and substituted for S.F. No. 1836, 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. 1875 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.
1875	2078				

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H.F. No. 1875 be amended as follows:

Delete all the language after the enacting clause of H.F. No. 1875 and insert the language after the enacting clause of S.F. No. 2078, the first engrossment; further, delete the title of H.F. No. 1875 and insert the title of S.F. No. 2078, the first engrossment.

And when so amended H.F. No. 1875 will be identical to S.F. No. 2078, and further recommends that H.F. No. 1875 be given its second reading and substituted for S.F. No. 2078, 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. 1846 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.
1846	1606				

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H.F. No. 1846 be amended as follows:

Delete all the language after the enacting clause of H.F. No. 1846 and insert the language after the enacting clause of S.F. No. 1606, the first engrossment; further, delete the title of H.F. No. 1846 and insert the title of S.F. No. 1606, the first engrossment.

And when so amended H.F. No. 1846 will be identical to S.F. No. 1606, and further recommends that H.F. No. 1846 be given its second reading and substituted for S.F. No. 1606, 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. 1839 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.
1839	1755				

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H.F. No. 1839 be amended as follows:

Delete all the language after the enacting clause of H.F. No. 1839 and insert the language after the enacting clause of S.F. No. 1755; further, delete the title of H.F. No. 1839 and insert the title of S.F. No. 1755.

And when so amended H.F. No. 1839 will be identical to S.F. No. 1755, and further recommends that H.F. No. 1839 be given its second reading and substituted for S.F. No. 1755, 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. 1974 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.
1974	1681				

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H.F. No. 1974 be amended as follows:

Delete all the language after the enacting clause of H.F. No. 1974 and insert the language after the enacting clause of S.F. No. 1681, the first engrossment; further, delete the title of H.F. No. 1974 and insert the title of S.F. No. 1681, the first engrossment.

And when so amended H.F. No. 1974 will be identical to S.F. No. 1681, and further recommends that H.F. No. 1974 be given its second reading and substituted for S.F. No. 1681, 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. 1946 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.
1946	1982				

Pursuant to Rule 49, the Committee on Rules and Administration recom-

mends that H.F. No. 1946 be amended as follows:

Delete all the language after the enacting clause of H.F. No. 1946 and insert the language after the enacting clause of S.F. No. 1982, the first engrossment; further, delete the title of H.F. No. 1946 and insert the title of S.F. No. 1982, the first engrossment.

And when so amended H.F. No. 1946 will be identical to S.F. No. 1982, and further recommends that H.F. No. 1946 be given its second reading and substituted for S.F. No. 1982, 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. 1803 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.
1803	1808				

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H.F. No. 1803 be amended as follows:

Delete all the language after the enacting clause of H.F. No. 1803 and insert the language after the enacting clause of S.F. No. 1808, the first engrossment; further, delete the title of H.F. No. 1803 and insert the title of S.F. No. 1808, the first engrossment.

And when so amended H.F. No. 1803 will be identical to S.F. No. 1808, and further recommends that H.F. No. 1803 be given its second reading and substituted for S.F. No. 1808, 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. 1352 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.
1352	1306				

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H.F. No. 1352 be amended as follows:

Delete all the language after the enacting clause of H.F. No. 1352 and

insert the language after the enacting clause of S.F. No. 1306, the first engrossment; further, delete the title of H.F. No. 1352 and insert the title of S.F. No. 1306, the first engrossment.

And when so amended H.F. No. 1352 will be identical to S.F. No. 1306, and further recommends that H.F. No. 1352 be given its second reading and substituted for S.F. No. 1306, 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. 1743 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.
1743	1781				

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

S.F. No. 2173: A bill for an act relating to notaries public; changing the term of office; increasing the required bond amount; amending Minnesota Statutes 1982, section 359.02.

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

Page 1, after line 6, insert:

“Section 1. [358.41] [DEFINITIONS.]

For the purposes of sections 1 to 3,

(1) “*acknowledgment*” means a declaration by a person that another identified person has executed an instrument.

(2) “*verification upon oath or affirmation*” means a written declaration upon oath or affirmation that a written statement is true.

Sec. 2. [358.42] [DECLARATION UNDER PENALTY OF PERJURY.]

Notwithstanding any law to the contrary, any matter that is required to be supported, evidenced, established, or proved by verification upon oath or affirmation in writing by the person making the verification may with like force and effect be supported, evidenced, established, or proved by a written statement that the matter is true under penalty of perjury. The written state-

ment shall contain the date and county of execution within this state or any other state permitting declarations under penalty of perjury.

The written statement may be in substantially the following form:

"I declare under penalty of perjury that the foregoing is true and correct.

.....(date)..... (county)"

Sec. 3. [358.43] [EXCLUSIONS.]

Sections 1 to 3 shall not apply to a deposition, or an oath of office, or an oath required to be taken before a specified official other than a notary public, or to any instrument to be recorded in the office of the county recorder or to be filed in the office of the registrar of titles, or to acknowledgments as defined pursuant to section 1. A verification upon oath or affirmation includes a signature under oath as required by Rule 33 of the rules of civil procedure of the district court.

Sec. 4. Minnesota Statutes 1982, section 359.01, is amended to read:

359.01 [COMMISSION.]

Subdivision 1. [RESIDENT NOTARIES.] The governor may appoint and commission as notaries public, by and with the advice and consent of the senate, as many citizens of this state, over the age of 18 years, resident in the county for which appointed, as ~~he~~ the governor deems necessary.

Subd. 2. [NONRESIDENT NOTARIES.] Notwithstanding the provisions of subdivision 1, the governor may appoint as notary public, by and with the advice and consent of the senate, a person who is not a resident of this state and who is not a resident of the county for which appointment is sought if:

(1) the person is a resident of Wisconsin, Iowa, North Dakota, or South Dakota, and of a county that shares a boundary with this state;

(2) the person designates the clerk of the district court of a county of this state that shares a boundary with the county of residence as agent for the service of process for all purposes relating to notarial acts and for receipt of all correspondence relating to notarial acts.

Subd. 3. [FEES.] The fee for each commission shall not exceed \$10, and shall be paid to the governor's private secretary."

Page 1, line 11, delete "four" and insert "six"

Page 1, after line 22, insert:

"Sec. 6. [359.071] [CHANGE OF RESIDENCE.]

A notary public who, during his term of office, establishes residency in a county of this state other than the county for which he was appointed, may file with the secretary of state an affidavit identifying the county of current residency, the county for which he is appointed as notary public, and the date of change of residency. If the affidavit is properly filed, the notary shall continue to have the same powers during the unexpired term of his appointment as if he had not changed residence. No new bond is required to be given to the state and the existing bond shall remain valid until the expiration of the commission. The notary public shall be entitled to use his official seal for the remainder of his term.

Sec. 7. Minnesota Statutes 1982, section 609.48, subdivision 1, is amended to read:

Subdivision 1. [ACTS CONSTITUTING.] Whoever makes a false material statement which he does not believe to be true in any of the following cases is guilty of perjury and may be sentenced as provided in subdivision 4:

(1) In or for an action, hearing or proceeding of any kind in which the statement is required or authorized by law to be made under oath or affirmation; or

(2) *Except as otherwise provided in section 8*, in any writing which is required or authorized by law to be under oath or affirmation; or

(3) In any other case in which the penalties for perjury are imposed by law and no specific sentence is otherwise provided.

Sec. 8. Minnesota Statutes 1982, section 609.48, is amended by adding a subdivision to read:

Subd. 1a. [OTHER ACTS PROHIBITED.] Whoever testifies, declares, deposes, or certifies under penalty of perjury in any of the cases in which the testimony, declarations, depositions, or certification is permitted by section 2 and makes a false material statement which he does not believe to be true, is guilty of perjury and may be sentenced as provided in subdivision 4, clause (2)."

Page 1, line 25, delete "1" and insert "5"

Page 2, line 1, delete "1983" and insert "1984"

Page 2, after line 2, insert:

"Sec. 10. [EFFECTIVE DATE.]

Sections 7 and 8 apply to crimes committed on or after August 1, 1984."

Renumber the sections in sequence

Delete the title and insert:

"A bill for an act relating to notarial acts; providing that matters to be verified by oath or affirmation can be certified under penalty of perjury; authorizing appointment of out-of-state notaries; requiring designation of the clerk of district court of the county in which appointment is sought as agent for out-of-state notaries; changing the term of office for notaries public; increasing the bond amount; providing for transfer of notary public commissions; prescribing penalties; amending Minnesota Statutes 1982, sections 359.01; 359.02; and 609.48, subdivision 1, and by adding a subdivision; proposing new law coded in Minnesota Statutes, chapters 358 and 359."

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

SECOND READING OF SENATE BILLS

S.F. No. 2173 was read the second time.

SECOND READING OF HOUSE BILLS

H.F. Nos. 1502, 1878, 1656, 1950, 2148, 322, 1806, 1875, 1846, 1839,

1974, 1946, 1803, 1352 and 1743 were read the second time.

MOTIONS AND RESOLUTIONS

Mr. Sieloff moved that the name of Mr. Merriam be added as a co-author to S.F. No. 1572. The motion prevailed.

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.

MOTIONS AND RESOLUTIONS - CONTINUED

Pursuant to Rule 10, Mr. Moe, R.D., Chairman of the Subcommittee on Bill Scheduling, designated the General Orders Calendar a Special Orders Calendar to be heard immediately.

SPECIAL ORDER

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

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 53 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

SPECIAL ORDER

H.F. No. 1553: A bill for an act relating to metropolitan government; prescribing the authority of watershed management organizations; providing procedures for boundary changes and termination of watershed districts; amending Minnesota Statutes 1982, sections 473.876, subdivision 9; 473.877; 473.878, subdivisions 2, 3, 4, and by adding a subdivision; 473.882, subdivision 1; proposing new law coded in Minnesota Statutes, chapter 473.

Mr. Merriam moved to amend H.F. No. 1553, as amended pursuant to Rule 49, adopted by the Senate April 11, 1984, as follows:

(The text of the amended House File is identical to S.F. No. 1554.)

Page 1, after line 11, insert:

"Section 1. Minnesota Statutes 1982, section 112.37, subdivision 7, is amended to read:

Subd. 7. The managers of a district wholly within the metropolitan area shall number not less than five nor more than nine. *The managers shall be selected to fairly represent by residence the various hydrologic areas within the district.* They shall be selected from a list of persons nominated jointly or severally by statutory and home rule charter cities and towns having territory within the district. The list shall contain at least three nominees for each position to be filled. If the cities and towns fail to nominate in accordance with this subdivision, the managers shall be selected as provided in subdivision 1a.

Sec. 2. Minnesota Statutes 1982, section 112.42, subdivision 3, is amended to read:

Subd. 3. At least 30 days prior to the expiration of the term of office of the first managers named by the board, the county commissioners of each county affected shall meet and proceed to appoint successors to the first managers. If the nominating petition that initiated the district originated from a majority of the cities within the district or if the district is wholly within the metropolitan area, the county commissioners shall appoint the managers from a list of persons nominated jointly or severally by the townships and municipalities within the district. The list shall contain at least three nominees for each position to be filled. *Managers for a district wholly within the metropolitan area shall be appointed to fairly represent by residence the various hydrologic areas within the district.* It shall be submitted to the affected county board at least 60 days prior to the expiration of the term of office. If the list is not submitted within 60 days prior to the expiration of the term of office the county commissioners shall select the managers from eligible individuals within the district. The county commissioners shall at least 30 days before the expiration of the term of office of any managers meet and appoint the successors. If the district affects more than one county, distribution of the managers among the counties affected shall be as directed by the board. Ten years after the order of establishment, upon petition of the county board of commissioners of any county affected by the district, the board after public hearing thereon, may redistribute the managers among the counties if redistribution is in accordance with the policy and purposes of this chapter. No petition for the redistribution of managers shall be filed with the board more often than once in ten years. The term of office of each manager, if the number does not exceed three, shall be one for a term of one year, one for a term of two years, and one for a term of three years. If the managers consist of five members, one shall be for a term of one year, two for a term of two years, and two for a term of three years. If the board of managers consists of more than five members, the managers shall be appointed so that as nearly as possible one-third serve terms of one year, one-third serve terms of two years, and one-third serve terms of three years. If the district affects more than one county, the board shall direct the distribution of the one, two and three year terms among the affected counties. Thereafter, the term of office for each manager shall be for a term of three years, and until his successor is appointed and qualified. If the district affects more than five counties, in order to provide for the orderly distribution of the managers, the board may

determine and identify the manager areas within the territory of the district and select the appointing county board of commissioners for each manager's area. Any vacancy occurring in an office of a manager shall be filled by the appointing county board of commissioners. A record of all appointments made under this subdivision shall be filed with the county auditor of each county affected, with the secretary of the board of managers, and with the secretary of the water resources board. No person shall be appointed as a manager who is not a voting resident of the district and none shall be a public officer of the county, state, or federal government, provided that a soil and water conservation supervisor may be a manager."

Page 9, line 30, after "cities" insert "and towns"

Renumber the sections in sequence and correct internal cross-references

Amend the title as follows:

Page 1, line 6, after "sections" insert "112.37, subdivision 7; 112.42, subdivision 3;"

The motion prevailed. So the amendment was adopted.

Mr. Renneke moved to amend H.F. No. 1553, as amended pursuant to Rule 49, adopted by the Senate April 11, 1984, as follows:

(The text of the amended House File is identical to S.F. No. 1554.)

Page 2, delete lines 25 to 32 and insert:

"(d) the authority of a watershed district under section 112.65 to accept the transfer of drainage systems in the watershed, to repair, improve, and maintain the transferred drainage systems, and to construct all new drainage systems and improvements of existing drainage systems in the watershed, provided that projects may be carried out under the powers granted in chapter 106, 112, or 473 and that proceedings of the board with respect to the systems must be in conformance with the watershed plan adopted under section 473.878; and"

The motion prevailed. So the amendment was adopted.

H.F. No. 1553 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 60 and nays 0, as follows:

Those who voted in the affirmative were:

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

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

MOTIONS AND RESOLUTIONS - CONTINUED

RECONSIDERATION

Mr. Kroening moved that the vote whereby S.F. No. 2079 failed to pass the Senate on April 14, 1984, be now reconsidered. The motion prevailed.

S.F. No. 2079: A bill for an act relating to gambling; requiring organizations conducting gambling under chapter 349 to file annual reports; proposing new law coded in Minnesota Statutes, chapter 349.

Mr. Kroening moved to amend S. F. No. 2079 as follows:

Page 1, line 9, after "*organization*" insert "*except churches or associations of churches*"

The motion prevailed. So the amendment was adopted.

CALL OF THE SENATE

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

S.F. No. 2079 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.

Mr. Waldorf moved that those not voting be excused from voting. The motion did not prevail.

Mr. Moe, R.D. moved that those not voting be excused from voting. The motion prevailed.

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

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Anderson	Frederickson	Kronebusch	Peterson, D.C.	Spear
Belanger	Freeman	Laidig	Peterson, D.L.	Storm
Benson	Isackson	McQuaid	Peterson, R.W.	Taylor
Bernhagen	Johnson, D.E.	Mehrkens	Ramstad	Ulland
Brataas	Jude	Merriam	Reichgott	Waldorf
Dieterich	Kamrath	Moe, D. M.	Renneke	
Frederick	Knutson	Olson	Sieloff	

So the bill, as amended, failed to pass.

SPECIAL ORDER

H.F. No. 1528: A bill for an act relating to taxation; updating references to the internal revenue code; simplifying certain income tax and property tax

refund provisions; making technical corrections and administrative changes to income tax, inheritance tax and property tax refund provisions; amending Minnesota Statutes 1982, sections 10A.31, subdivision 1; 62E.11, subdivision 8; 171.31; 271.19; 290.01, subdivision 20e; 290.012, subdivision 3; 290.05, subdivision 4; 290.06, subdivisions 3e, 3f, and 3g; 290.095, subdivision 11; 290.17, subdivision 1a; 290.19, subdivision 1a; 290.23, subdivision 3; 290.311, subdivision 1; 290.41, subdivision 2, and by adding a subdivision; 290.56, subdivisions 4 and 5; 290.61; 290.931, subdivision 1; 290A.07, subdivision 2a; 600.21; Minnesota Statutes 1983 Supplement, sections 176.186; 290.01, subdivisions 20, 20a, 20b, and 20f; 290.032, subdivision 2; 290.06, subdivisions 2c, 3d, 11, 13, and 14; 290.067, subdivisions 1 and 2; 290.077, subdivision 4; 290.089, subdivisions 2 and 3; 290.09, subdivisions 5 and 29; 290.091; 290.10; 290.17, subdivisions 1 and 2; 290.174; 290.175; 290.18, subdivision 1; 290.21, subdivision 3; 290.37, subdivision 1; 290.431; 290.45, subdivision 1; 290.46; 290.92, subdivision 26; 290.93, subdivision 10; 290.9726, subdivision 5; 290A.03, subdivisions 3, 6, 11, 12, and 14; 290A.04, subdivisions 1 and 2; 290A.07, subdivision 3; and 296.18, subdivision 1; Laws 1980, chapter 439, section 36; repealing Minnesota Statutes 1982, sections 290.011; 290.311, subdivision 2; Minnesota Statutes 1983 Supplement, section 290A.16; and Laws 1983, chapter 207, section 6.

Mr. Peterson, C.C. moved to amend the Peterson, C.C. amendment to H. F. No. 1528, adopted by the Senate April 12, 1984, as follows:

Page 1 of the Peterson amendment, after line 22, insert: "Page 58, line 10, after the period, insert *"An individual who is not a Minnesota resident for any part of the year is not required to file a Minnesota income tax return if the individual's Minnesota gross income computed under section 290.06, subdivision 2c, clause (c)(1) is less than the filing requirements for an individual who is a full year resident of Minnesota with the same marital status and number of personal credits."*

The motion prevailed. So the amendment was adopted.

H.F. No. 1528 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 56 and nays 1, as follows:

Those who voted in the affirmative were:

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

Mr. Kamrath voted in the negative.

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

CONFERENCE COMMITTEE EXCUSED

Pursuant to Rule 21, Mr. Waldorf moved that the following members be excused for a Conference Committee on H.F. No. 2314 at 1:15 p.m.:

Messrs. Waldorf, Taylor, Purfeerst, Langseth and Dicklich. The motion prevailed.

CONFERENCE COMMITTEE EXCUSED

Pursuant to Rule 21, Mr. Johnson, D.J. moved that the following members be excused for a Conference Committee on H.F. No. 2016 at 12:00 noon:

Messrs. Johnson, D.J.; Peterson, C.C.; Ms. Berglin, Messrs. Novak and Bernhagen. The motion prevailed.

SPECIAL ORDER

H.F. No. 1466: A bill for an act relating to courts; providing procedures for collection of conciliation court judgments; requiring conciliation court clerks to explain procedures of conciliation court to litigants and to assist them in filling out forms; amending Minnesota Statutes 1982, sections 487.30, by adding subdivisions; 488A.13, subdivision 2; 488A.16, subdivisions 1 and 8; 488A.30, subdivision 2; 488A.33, subdivisions 1 and 7; and 488A.34, subdivision 9.

Mr. Sieloff moved to amend H.F. No. 1466, as amended pursuant to Rule 49, adopted by the Senate April 11, 1984, as follows:

(The text of the amended House File is identical to S.F. No. 1285.)

Page 1, delete lines 15 to 22

Page 1, line 23, delete "form" and insert:

"Subd. 5. [NOTICE OF ORDER.] The notice of order of judgment, mailed by the clerk to each party, shall state that (1) if the conciliation court judgment has been docketed as a county court judgment for at least 30 days, and (2) if the judgment has not been satisfied or if the parties have not agreed otherwise; the judgment debtor shall mail to the judgment creditor information as to the nature, amount, identity, and location of all his assets, liabilities, and personal earnings. The information shall be provided on a form that shall be enclosed with the order. The form shall be"

Page 2, line 4, delete everything after the period

Page 2, delete lines 5 to 21

Page 2, line 24, delete "7" and insert "6"

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

Page 4, delete lines 10 to 18

Pages 4 to 6, delete sections 6 and 7 and insert:

"Sec. 5. Minnesota Statutes 1982, section 488A.16, subdivision 1, is amended to read:

Subdivision 1. [NOTICE OF ORDER.] The clerk shall promptly mail to each party a notice of the order for judgment which the judge enters. The notice shall state:

(a) the number of days allowed for obtaining an order to vacate where there has been a default or for removing the cause to municipal court;

(b) that if the cause is removed to municipal court, the court may, in its discretion, allow the prevailing party to recover from the aggrieved party an amount not to exceed \$50 as costs if the prevailing party on appeal is not the aggrieved party in the original action;

(c) that if the conciliation court judgment has been docketed as a municipal court judgment pursuant to subdivision 8 for at least 30 days, and if (1) the judgment has not been satisfied or (2) the parties have not agreed otherwise; the judgment debtor shall mail to the judgment creditor information as to the nature, amount, identity, and location of all his assets, liabilities, and personal earnings. The information shall be provided on a form that shall be enclosed with the order. The form shall be prescribed by the supreme court and shall be sufficiently detailed to enable the judgment creditor to obtain satisfaction of the judgment by way of execution on nonexempt assets and earnings of the judgment debtor. The form shall be written in a clear and coherent manner using words with common and everyday meanings, shall summarize the execution and garnishment exemptions and limitations applicable to assets and earnings, and shall permit the judgment debtor to identify on the form those assets and earnings that he considers to be exempt from execution or garnishment."

Page 6, delete lines 14 to 36

Page 7, delete lines 1 to 36 and insert:

"Sec. 7. Minnesota Statutes 1982, section 488A.33, subdivision 1, is amended to read:

Subdivision 1. [NOTICE OF ORDER.] The administrator shall promptly mail to each party a notice of the order for judgment which the judge enters. The notice shall state:

(a) the number of days allowed for obtaining an order to vacate where there has been a default or for removing the cause to municipal court;

(b) that if the cause is removed to municipal court, the court may, in its discretion, allow the prevailing party to recover from the aggrieved party an amount not to exceed \$50 as costs if the prevailing party on appeal is not the aggrieved party in the original action;

(c) that if the conciliation court judgment has been docketed as a municipal court judgment pursuant to subdivision 7 for at least 30 days, and if (1) the judgment has not been satisfied or (2) the parties have not agreed otherwise; the judgment debtor shall mail to the judgment creditor information as to the nature, amount, identity, and location of all his assets, liabilities, and personal earnings. The information shall be provided on a form that shall be enclosed with the order. The form shall be prescribed by the supreme court and shall be sufficiently detailed to enable the judgment creditor to obtain satisfaction of the judgment by way of execution on nonexempt assets and earnings of the judgment debtor. The form shall be written in a clear and

coherent manner using words with common and everyday meanings, shall summarize the execution and garnishment exemptions and limitations applicable to assets and earnings, and shall permit the judgment debtor to identify on the form those assets and earnings that he considers to be exempt from execution or garnishment."

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 3, delete "requiring"

Page 1, delete lines 4 and 5

Page 1, line 6, delete everything before the semicolon and insert "requiring notice to litigants regarding satisfaction of judgment and costs on removal"

Page 1, line 8, delete "subdivisions 1 and 8" and insert "subdivision 1"

Page 1, line 9, delete "subdivisions 1 and 7" and insert "subdivision 1"

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 22 and nays 35, as follows:

Those who voted in the affirmative were:

Anderson	Brataas	Kamrath	McQuaid	Storm
Belanger	Frederickson	Knaak	Mehrkens	Ulland
Benson	Isackson	Knutson	Olson	
Berg	Johnson, D.E.	Kronebusch	Renneke	
Bernhagen	Jude	Laidig	Sieloff	

Those who voted in the negative were:

Adkins	Diessner	Lessard	Peterson, C.C.	Samuelson
Bertram	Dieterich	Luther	Peterson, D.C.	Schmitz
Chmielewski	Frank	Merriam	Peterson, R.W.	Solon
Dahl	Freeman	Moe, D. M.	Petty	Stumpf
Davis	Hughes	Moe, R. D.	Pogemiller	Vega
DeCramer	Kroening	Novak	Purfeerst	Wegscheid
Dicklich	Lantry	Pehler	Reichgott	Willet

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

H.F. No. 1466 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 42 and nays 8, as follows:

Those who voted in the affirmative were:

Adkins	Davis	Knaak	Moe, R. D.	Storm
Belanger	DeCramer	Kroening	Novak	Stumpf
Benson	Diessner	Kronebusch	Olson	Taylor
Berg	Dieterich	Laidig	Peterson, D.C.	Vega
Bernhagen	Frank	Lantry	Petty	Wegscheid
Bertram	Freeman	Luther	Pogemiller	Willet
Brataas	Hughes	McQuaid	Reichgott	
Chmielewski	Jude	Merriam	Samuelson	
Dahl	Kamrath	Moe, D. M.	Schmitz	

Those who voted in the negative were:

Anderson
Frederickson

Isackson
Johnson, D.E.

Knutson
Mehrkens

Sieloff

Ulland

So the bill passed and its title was agreed to.

SPECIAL ORDER

H.F. No. 1824: A bill for an act relating to transportation; providing for installation of drain tile along or across highways; delineating debt collection authority of the department of transportation; allowing vending machines in rest areas; tourist information centers, and weigh stations; providing for the erection of certain signs by counties; permitting restaurants to be included on specific service signs; providing for the clustering and spacing of specific service signs; directing the commissioner of transportation to establish a sign franchise program for the placement of advertising logos on the right-of-way of certain highways; authorizing road authorities to assist each other; redefining "directional signs" for purposes of outdoor advertising control and directing the commissioner of transportation to develop uniform standards for them; reducing a fee; repealing a restriction on the authority of the commissioner of transportation to expend money to acquire or condemn advertising devices; amending Minnesota Statutes 1982, sections 160.08, subdivision 7; 160.20, subdivision 3, and by adding a subdivision; 160.28; 160.283, subdivision 3; 160.285; 160.292; 160.293, subdivisions 1 and 3; 160.295, subdivisions 2 and 3; 161.20, subdivision 4; 161.39, subdivisions 1, 5, and 6; 173.02, subdivision 6; and 173.13, subdivision 7; Minnesota Statutes 1983 Supplement, section 173.13, subdivision 4; and Laws 1983, chapter 293, section 2, subdivision 4; proposing new law coded in Minnesota Statutes, chapters 160 and 173.

Mr. Schmitz moved that the amendment made to H.F. No. 1824 by the Committee on Rules and Administration in the report adopted April 11, 1984, pursuant to Rule 49, be stricken. The motion prevailed. So the amendment was stricken.

Mr. Schmitz moved to amend H.F. No. 1824 as follows:

Page 2, line 13, delete "11" and insert "12"

Page 4, line 26, after "*candy*" insert "*, potato chips, popcorn, peanuts, cookies*"

Pages 13 and 14, delete section 22

Renumber the sections in sequence

Amend the title as follows:

Page 1, lines 31 and 32, delete "sections 173.08, subdivision 1;" and insert "section"

The motion prevailed. So the amendment was adopted.

H.F. No. 1824 was read the third time, as amended, and placed on its final passage.

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

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

Those who voted in the affirmative were:

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

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

SPECIAL ORDER

H.F. No. 1809: A bill for an act relating to crimes; authorizing aggregation of thefts in medicaid fraud cases; extending the statute of limitations in medicaid fraud cases; amending Minnesota Statutes 1982, section 628.26; Minnesota Statutes 1983 Supplement, section 609.52, subdivision 3.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 55 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

SPECIAL ORDER

S.F. No. 1408: A bill for an act relating to state government; recodifying the laws governing the department of administration; allowing the commissioner of administration to transfer to local government units certain supplies, materials, and equipment; allowing the commissioner of administration to charge a price sufficient to cover costs when selling copies of laws and resolutions; allowing the commissioner of administration to lease office space and purchase supplies and equipment without the approval of the governor; allowing the commissioner of administration to provide for the use of certain motor vehicles by the governor and lieutenant governor; relating to the use of state vehicles and compensation for use of personal vehicles; including in the definition of the term "employee" for purposes of workers' compensation a voluntary uncompensated worker accepted by the commissioner of administration; specifying the United States department of labor as

the entity which designates a labor surplus area; amending Minnesota Statutes 1982, sections 16A.065; and 645.445, subdivision 5; and Minnesota Statutes 1983 Supplement, section 176.011, subdivision 9; proposing new law coded in Minnesota Statutes, chapter 16A; proposing new law coded as Minnesota Statutes, chapter 16B; repealing Minnesota Statutes 1982, sections 16.01; 16.011; 16.012; 16.014; 16.02, subdivisions 1, 2, 2a, 3, 4, 5, 5a, 6, 6a, 6b, 7, 8, 9, 10, 13, 15, 16, 17, 18, 19, 24, 25, 26, and 27; 16.021; 16.022; 16.023; 16.0231; 16.024; 16.025; 16.026; 16.028; 16.03; 16.04; 16.05; 16.06; 16.061; 16.062; 16.063; 16.064; 16.065; 16.066; 16.068; 16.07; 16.073; 16.075; 16.08; 16.081; 16.082; 16.083, subdivision 2; 16.086, subdivision 2; 16.09; 16.095; 16.096; 16.098, subdivisions 1, 2, 3, 5, 6, 7, 8, 9, 10, and 11; 16.12; 16.125; 16.135; 16.139; 16.172; 16.21; 16.22; 16.23; 16.24; 16.243; 16.244; 16.251; 16.281; 16.32, subdivisions 1, 3, and 4; 16.34; 16.365; 16.381; 16.51; 16.52; 16.53; 16.54; 16.55; 16.56; 16.71; 16.72; 16.723; 16.73; 16.75, subdivisions 1, 2, 3, 4, 5, 6, and 8; 16.753, subdivisions 1, 2, 4, 5, and 6; 16.756; 16.76; 16.77; 16.78; 16.80; 16.81; 16.811; 16.82, subdivision 2; 16.821; 16.822; 16.823; 16.824; 16.825; 16.826; 16.827; 16.83; 16.84; 16.85; 16.851, subdivisions 1 and 2; 16.854; 16.86; 16.861, subdivisions 1, 2, 4, 5, 6, and 7; 16.862; 16.8632; 16.864; 16.865; 16.866, subdivision 2; 16.867; 16.868; 16.869; 16.871; 16.872, subdivisions 1, 2, and 3; 16.874; 16.88; 16.89; 16.90, subdivisions 1, 2, and 3; 16.931; 16.94; 16.95; 16.955; 16.96; and 16.97; and Minnesota Statutes 1983 Supplement, sections 16.02, subdivisions 10a, 14, 28, and 29; 16.072; 16.0721; 16.083, subdivisions 1, 1a, 3, 4, 4a, 4b, 5 and 6; 16.084; 16.085; 16.086, subdivision 1; 16.092; 16.098, subdivision 4; 16.28; 16.32, subdivision 2; 16.321; 16.75, subdivisions 7 and 9; 16.753, subdivision 3; 16.82, subdivision 1; 16.851, subdivision 3; 16.861, subdivision 3; 16.863; 16.866, subdivision 1; 16.872; 16.90, subdivision 4; 16.91; and 16.911.

Mr. Moe, D.M. moved to amend S.F. No. 1408 as follows:

Page 84, after line 15, insert:

"Sec. 78. [INSTRUCTIONS TO REVISOR.]

In the following sections of Minnesota Statutes, the revisor of statutes shall change the reference to chapter 16 listed in column B which occurs in the section specified in column A to the new reference listed in column C.

<i>COLUMN A, Section</i>	<i>COLUMN B, Section</i>	<i>COLUMN C, Section</i>
13.43, subd. 7	16.02, subd. 28	16B.39, subd. 2
14.56	16.125	16B.37
15.44	16.84, subd. 8	16B.60, subd. 7
15.061	16.098	16B.17
15.18	16.02	chapter 16B
16A.131	16.72, subd. 7	16B.58, subd. 7
16A.15	16.07, subd. 1	16B.07, subd. 2
16A.72	16.78	16B.57
85A.03, subd. 4	16.06 and 16.07 and 16.28	16B.07
105.41, subd. 5	15.011	16B.01
105.44, subd. 10	16.011	16B.01
116J.06, subd. 2	16.85	16B.61
116J.19, subd. 8	16.862	16B.66
120.81, subd. 1	16.90	16B.40
120.81, subd. 1	16.94	16B.44
123.73	16.93	Chapter 16B

COLUMN A, Section	COLUMN B, Section	COLUMN C, Section
136A.29, subd. 6	16.07	chapter 16B
144.0742	16.098	chapter 16B
161.321, subd. 4	16.083, subds. 2, 3, and 6	16B.19, subds. 2, 3, and 6
179.7411	16.07	16B.07, subd. 1
268.12, subd. 8	16.02	16B.50
299F.011, subd. 4	16.83 to 16.867	16B.59 to 16B.73
299F.015, subd. 2	16.83 to 16.867	16B.59 to 16B.73
299F.391, subd. 3	16.83 to 16.867	16B.59 to 16B.73
326.243	Minnesota Statutes 1965, section 16.85	16B.61
327.32, subd. 7	16.83 to 16.867	16B.59 to 16B.73
471.616, subd. 1	Minnesota Statutes 1971, section 16.07, subds. 1, 2, 4, and 5	16B.07, subds. 1 to 5
473.556, subd. 14	16.081 to 16.084	16B.19 to 16B.22
480.09, subd. 1	16.02	chapter 16B"

Renumber the sections in sequence

The motion prevailed. So the amendment was adopted.

Mr. Moe, D.M. then moved to amend S.F. No. 1408 as follows:

Page 84, after line 3, insert:

"Sec. 77. [611.216] [CRIMINAL AND JUVENILE DEFENSE GRANTS.]

Subdivision 1. [ELIGIBLE RECIPIENTS.] Money appropriated to provide criminal and juvenile defense to indigent individuals must be distributed by the board of public defense to the nonprofit criminal and juvenile defense corporations designated by law. Money may not be disbursed to a corporation in the Leech Lake reservation area or the White Earth reservation area without prior approval by the respective reservation business committee. Within its geographic area of responsibility each corporation shall accept cases involving felony, gross misdemeanor, and misdemeanor charges and juvenile cases if financial eligibility standards are met, unless there is a legal reason for rejecting a case. A corporation may accept cases arising outside its geographic area of responsibility, as appropriate. Each corporation, in order to insure broad support, shall provide matching money received from non-state sources, which may include money from federal agencies, local governments, private agencies, and community groups, equal to ten percent of its state appropriation. The board of public defense shall give notice 30 days in advance and conduct a hearing if it has reasonable grounds to believe money appropriated for this purpose is being improperly used, or if it has reasonable cause to believe criminal and juvenile defense of proper quality is not being supplied. Payment must cease from the date of notice until either the board of public defense determines that the money appropriated will be properly handled, or the board of public defense determines that criminal and juvenile defense of proper quality will be provided. A participating corporation may give notice at any time of its withdrawal from this program of financial assistance.

Subd. 2. [DISCRIMINATION; PENALTY.] An employee, administrator,

The roll was called, and there were yeas 12 and nays 38, as follows:

Those who voted in the affirmative were:

Anderson	Brataas	Kronebusch	McQuaid	Ramstad
Belanger	Knaak	Laidig	Mehrkins	Storm
Benson	Knutson			

Those who voted in the negative were:

Adkins	DeCramer	Isackson	Novak	Renneke
Berg	Diessner	Jude	Olson	Schmitz
Berglin	Dieterich	Kamrath	Peterson, C.C.	Sieloff
Bernhagen	Frank	Kroening	Peterson, D.C.	Spear
Bertram	Frederick	Lantry	Peterson, R.W.	Stumpf
Chmielewski	Frederickson	Merriam	Petty	Ulland
Dahl	Freeman	Moe, D. M.	Pogemiller	
Davis	Hughes	Moe, R. D.	Reichgott	

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

S.F. No. 2043 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 35 and nays 21, as follows:

Those who voted in the affirmative were:

Adkins	Dahl	Kroening	Novak	Schmitz
Belanger	DeCramer	Lantry	Peterson, C.C.	Spear
Berg	Diessner	Lessard	Peterson, D.C.	Storm
Berglin	Dieterich	Luther	Peterson, R.W.	Stumpf
Bernhagen	Frank	Merriam	Petty	Vega
Bertram	Hughes	Moe, D. M.	Pogemiller	Wegscheid
Chmielewski	Jude	Moe, R. D.	Reichgott	Willet

Those who voted in the negative were:

Anderson	Frederickson	Knutson	Olson	Ulland
Benson	Isackson	Kronebusch	Peterson, D.L.	
Brataas	Johnson, D.E.	Laidig	Ramstad	
Davis	Kamrath	McQuaid	Renneke	
Frederick	Knaak	Mehrkins	Sieloff	

So the bill passed and its title was agreed to.

SPECIAL ORDER

S.F. No. 1977: A bill for an act relating to economic development; clarifying provisions relating to the export finance authority; amending Minnesota Statutes 1983 Supplement, sections 17.104, by adding a subdivision; and 17.105, subdivisions 1, 3, 4, and 7.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 55 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

SPECIAL ORDER

H.F. No. 1939: A bill for an act relating to commerce; removing preference for Minnesota made materials in state purchasing; clarifying definition of public contract for resident preference; amending Minnesota Statutes 1982, section 16.365; Minnesota Statutes 1983 Supplement, section 16.0721; repealing Minnesota Statutes 1982, section 16.073; Minnesota Statutes 1983 Supplement, section 16.072; and Laws 1983, chapter 336, section 3.

Mr. Chmielewski moved to amend H.F. No. 1939, as amended pursuant to Rule 49, adopted by the Senate April 11, 1984, as follows:

(The text of the amended House File is identical to S.F. No. 2153.)

Page 3, after line 26, insert:

“Sec. 3. [RELATION TO OTHER ENACTMENTS.]

If S.F. No. 1408, H.F. No. 1757, or any act recodifying the laws in Minnesota Statutes 1982 and 1983 Supplement, chapter 16, is enacted by the 1984 legislature, sections 1, 2, 3, and 4 of this act shall prevail over that enactment.”

Renumber the sections in sequence and correct the internal references

The motion prevailed. So the amendment was adopted.

H.F. No. 1939 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 57 and nays 1, as follows:

Those who voted in the affirmative were:

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

Mr. Vega voted in the negative.

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

MOTIONS AND RESOLUTIONS - CONTINUED

RECONSIDERATION

Mr. Vega moved that the vote whereby S.F. No. 1880 failed to pass the Senate on April 14, 1984, be now reconsidered. The motion prevailed.

S.F. No. 1880: A bill for an act relating to local government; providing for financing of county and county regional jails; amending Minnesota Statutes 1982, sections 641.24; and 641.264, subdivision 1.

Mr. Wegscheid moved that S.F. No. 1880 be laid on the table. The motion prevailed.

SPECIAL ORDER

S.F. No. 1451: A bill for an act relating to commerce; including all liens on file in abstract by the county recorder; providing a lien for agricultural production inputs; establishing a procedure for priority and foreclosure requirements; amending Minnesota Statutes 1982, section 386.42; proposing new law coded in Minnesota Statutes, chapter 514.

Mr. DeCramer moved to amend S.F. No. 1451 as follows:

Page 2, line 20, before the period, insert "*identified in a lien-notification statement*"

Page 2, line 21, delete "CREDIT" and insert "COMMITMENT" and delete "credit" and insert "commitment"

Page 2, line 23, before the period, insert "*upon the supplier presenting invoices signed by the purchaser or other proof of delivery*"

Page 2, line 36, delete "4" and insert "3"

Page 3, line 12, after the period, insert "*Delivery of*"

Page 3, line 15, after "must" insert "*be in a form approved by the secretary of state and*"

Page 3, line 16, delete "*designated*"

Page 3, line 17, delete everything before the semicolon

Page 3, line 18, delete "*person*" and insert "*supplier*"

Page 3, line 19, after "*anticipated date*" insert "*or dates*"

Page 3, line 20, after "*cost*" insert "*or anticipated costs*"

Page 3, line 24, after "*and*" delete "*the*" and insert "*a*"

Page 3, line 25, delete "*location*" and insert "*description*" and delete "*property*" and insert "*estate*"

Page 3, line 35, delete "*credit*" and insert "*commitment for part or all of the amount in the lien-notification statement*"

Page 3, line 36, delete "*credit*" and insert "*commitment*"

Page 4, line 2, delete "*credit*" and insert "*commitment for part or all of the amount in the lien-notification statement*"

Page 4, line 14, delete "*or*"

Page 4, line 16, before the period, insert ";; *or*

(3) *for livestock any limitation in section 4, subdivision 2*"

Page 5, after line 12, insert:

Subd. 3. [TIME OF ATTACHMENT.] An agricultural input lien attaches when the agricultural production inputs are furnished by the supplier to the purchaser."

The motion prevailed. So the amendment was adopted.

S.F. No. 1451 was read the third time, as amended, and placed on its final passage.

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

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

Those who voted in the affirmative were:

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

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

SPECIAL ORDER

H.F. No. 996: A bill for an act relating to local government; authorizing the port authorities of the cities of St. Paul and Bloomington to acquire and operate a district heating system.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 47 and nays 3, as follows:

Those who voted in the affirmative were:

Adkins	Davis	Kamrath	Olson	Sieloff
Anderson	DeCramer	Kroening	Peterson, C. C.	Spear
Belanger	Diessner	Kronebusch	Peterson, D. C.	Storm
Benson	Frank	Laidig	Petty	Stumpf
Berglin	Frederick	Lantry	Pogemiller	Ulland
Bernhagen	Frederickson	Lessard	Ramstad	Wegscheid
Bertram	Freeman	Luther	Reichgott	Willet
Brataas	Hughes	McQuaid	Renneke	
Chmielewski	Isackson	Mehrkens	Samuelson	
Dahl	Jude	Novak	Schmitz	

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

So the bill passed and its title was agreed to.

SPECIAL ORDER

H.F. No. 1428: A bill for an act relating to missing children; requiring the commissioner of public safety to establish a Minnesota missing child program; requiring law enforcement agencies receiving missing child reports to take certain actions; proposing new law coded in Minnesota Statutes, chapter 299C.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 52 and nays 0, as follows:

Those who voted in the affirmative were:

Adkins	DeCramer	Kronebusch	Olson	Solon
Anderson	Dieterich	Laidig	Peterson, C.C.	Spear
Belanger	Frank	Lantry	Peterson, D.C.	Storm
Benson	Frederick	Lessard	Petty	Stumpf
Berg	Frederickson	Luther	Pogemiller	Ulland
Berglin	Isackson	McQuaid	Ramstad	Vega
Bernhagen	Jude	Mehrkins	Reichgott	Wegscheid
Bertram	Kamrath	Merriam	Renneke	Willet
Brataas	Knaak	Moe, D. M.	Samuelson	
Dahl	Knutson	Moe, R. D.	Schmitz	
David	Kroening	Novak	Sieloff	

So the bill passed and its title was agreed to.

SPECIAL ORDER

S.F. No. 2100: A bill for an act relating to public finance; providing for allocation of federal authority to issue certain state and local obligations; amending Minnesota Statutes 1982, sections 116J.58, by adding a subdivision; 273.77; 429.091, by adding a subdivision; 430.12; and 472.09, by adding a subdivision; proposing new law coded in Minnesota Statutes, chapters 458; 459; 462; 474; and 475.

Mr. Pogemiller moved to amend S.F. No. 2100, as follows:

Page 1, line 27, delete “; and” and insert a period

Page 2, delete lines 1 to 5

Page 10, line 2, after the period, insert “Prior to enactment by Congress of the United States of America of a federal limitation act, “previous use” means the principal amount of obligations of a type subject to limitation under the terms of section 721 of the Tax Reform Bill of 1984, H.R. 4170, as reported by the Ways and Means Committee of the United States House of Representatives on March 5, 1984, issued by a local issuer during a specified period.”

Page 11, line 11, delete “a” and insert “an application”

Page 11, line 16, after “and” insert “the application”

Page 11, line 24, delete everything after the period

Page 11, delete lines 25 to 28

Page 11, line 29, delete "*an entitlement issuer pursuant to section 11.*"

Page 12, line 17, delete "*a*" and insert "*an application*"

Page 12, line 22, after "*and*" insert "*the application*"

Page 13, line 30, delete everything after the period

Page 13, delete lines 31 to 36

Page 14, delete lines 1 and 2

Page 14, line 3, delete "*allocation of the entitlement issuer.*"

Page 14, after line 7, insert:

"Within 15 days after the effective date of a federal limitation act, any issuer who submitted a certification in accordance with the first paragraph of this subdivision shall submit a new certification as to previous use as defined in accordance with the federal limitation act for the highest three of the four preceding calendar years. Within 15 days thereafter, the department of energy and economic development shall determine and publish the revised amount of issuance authority allocated to each issuer that is an entitlement issuer that submitted the information required by this subdivision. Failure to submit the new certification required by this paragraph shall result in forfeiture of unused previously allocated issuance authority. The revised amount of issuance authority for each entitlement issuer shall be determined in accordance with the first paragraph of this subdivision, but shall be reduced by the principal amount of obligations issued by the entitlement issuer prior to the date of the determination. If the revised amount of issuance authority for any entitlement issuer is less than zero, the amount shall reduce the amount otherwise available for allocation pursuant to section 12, subdivision 1. The principal amount of any obligations issued by a local issuer that does not qualify as an entitlement issuer based on previous use determined in accordance with the federal limitation act, but issued pursuant to an allocation published in accordance with the first paragraph of this subdivision, shall reduce the amount otherwise available for allocation pursuant to section 12, subdivision 1."

Page 14, line 15, delete "*a*" and insert "*an application*"

Page 14, line 19, after "*and*" insert "*the application*"

Page 15, line 3, delete "*13*" and insert "*10*"

Page 15, line 28, delete "*a*" and insert "*an application*"

Page 16, line 34, after "*employed*" insert "*in the applicant's jurisdiction*"

Page 19, line 2, delete "*out-of-bond*" and insert "*from bond*"

Page 19, line 30, delete "*five*" and insert "*four*"

Page 20, line 6, delete "*five*" and insert "*four*"

Page 20, line 14, after the first "*the*" insert "*application*"

Page 20, line 25, after "*percent*" insert "*application*"

Page 20, line 30, delete "*November 30*" and insert "*October 31*"

Page 20, lines 33 and 34, delete "*December 1 to November 30*" and insert

"November 1 to December 31"

Page 21, line 7, delete *"must"* and insert *"shall"*

Page 21, line 13, delete *"a"* and insert *"an application"*

Page 21, line 16, delete *"I"* and insert *"5"*

Page 21, line 18, delete *"I"* and insert *"5"*

Page 22, line 11, delete *"must"* and insert *"shall"*

Page 22, line 28, after *"month"* insert *"during which the notice is published"*

The motion prevailed. So the amendment was adopted.

Mr. Pogemiller then moved to amend S. F. No. 2100 as follows:

Page 7, after line 8, insert:

"Sec. 3. Minnesota Statutes 1982, section 429.021, subdivision 1, is amended to read:

Subdivision 1. [IMPROVEMENTS AUTHORIZED.] The council of a municipality shall have power to make the following improvements:

(1) To acquire, open, and widen any street, and to improve the same by constructing, reconstructing, and maintaining sidewalks, pavement, gutters, curbs, and vehicle parking strips of any material, or by grading, graveling, oiling, or otherwise improving the same, including the beautification thereof and including storm sewers or other street drainage and connections from sewer, water or similar mains to curb lines.

(2) To acquire, develop, construct, reconstruct, extend and maintain storm and sanitary sewers and systems, including outlets, holding areas and ponds, treatment plants, pumps, lift stations, service connections, and other appurtenances of a sewer system, within and without the corporate limits.

(3) To construct, reconstruct, extend and maintain steam heating mains.

(4) To install, replace, extend and maintain street lights and street lighting systems and special lighting systems.

(5) To acquire, improve, construct, reconstruct, extend and maintain water works systems, including mains, valves, hydrants, service connections, wells, pumps, reservoirs, tanks, treatment plants, and other appurtenances of a water works system, within and without the corporate limits.

(6) To acquire, improve and equip parks, open space areas, playgrounds and recreational facilities within or without the corporate limits.

(7) To plant trees on streets and provide for their trimming, care and removal.

(8) To abate nuisances and to drain swamps, marshes and ponds on public or private property and to fill the same.

(9) To construct, reconstruct, extend, and maintain dikes and other flood control works.

(10) To construct, reconstruct, extend and maintain retaining walls and

area walls.

(11) To acquire, construct, reconstruct, improve, alter, extend, operate, maintain and promote a pedestrian skyway system. *Such improvement may be made upon a petition pursuant to section 429.031, subdivision 3.*

(12) To acquire, construct, reconstruct, extend, operate, maintain and promote underground pedestrian concourses.

(13) To acquire, construct, improve, alter, extend, operate, maintain and promote public malls, plazas or courtyards.

(14) To construct, reconstruct, extend, and maintain district heating systems.

(15) *To construct, reconstruct, alter, extend, operate, maintain and promote fire protection systems in existing buildings, but only upon a petition pursuant to section 429.031, subdivision 3.*

Sec. 4. Minnesota Statutes 1982, section 429.031, subdivision 3, is amended to read:

Subd. 3. [PETITION BY ALL OWNERS.] Whenever all owners of real property abutting upon any street named as the location of any improvement shall petition the council to construct the improvement and to assess the entire cost against their property, the council may, without a public hearing, adopt a resolution determining such fact and ordering the improvement. The validity of the resolution shall not be questioned by any taxpayer or property owner or the municipality unless an action for that purpose is commenced within 30 days after adoption of the resolution as provided in section 429.036. Nothing herein prevents any property owner from questioning the amount or validity of the special assessment against his property pursuant to section 429.081. *In the case of a petition for the installation of a fire protection or a pedestrian skyway system, the petition must contain or be accompanied by an undertaking satisfactory to the city by the petitioner that the petitioner will grant the municipality the necessary property interest in the building to permit the city to enter upon the property and the building to construct, maintain, and operate the fire protection or pedestrian skyway system. In the case of a petition for the installation of a fire protection or pedestrian skyway system which will be privately owned, the petition shall also contain the plans and specifications for the improvement, the estimated cost of the improvement and a statement indicating whether the city or the owner will contract for the construction of the improvement. If the owner is contracting for the construction of the improvement, the city shall not approve the petition until it has reviewed and approved the plans, specifications, and cost estimates contained in the petition. The construction cost financed under section 429.091 shall not exceed the amount of the cost estimate contained in the petition. In the case of a petition for the installation of a fire protection or a pedestrian skyway system, the petitioner may request abandonment of the improvement at any time after it has been ordered pursuant to subdivision 1 and before contracts have been awarded for the construction of the improvement under section 429.041, subdivision 2. If such a request is received, the city council shall abandon the proceedings but in such case the petitioner shall reimburse the city for any and all expenses incurred by the city in connection with the improvement.*

Sec. 5. Minnesota Statutes 1982, section 429.091, subdivision 2, is amended to read:

Subd. 2. [TYPES OF OBLIGATIONS PERMITTED.] The council may by resolution adopted prior to the sale of obligations pledge the full faith, credit, and taxing power of the municipality for the payment of the principal and interest. Such obligations shall be called improvement bonds and the council shall pay the principal and interest out of any fund of the municipality when the amount credited to the specified fund is insufficient for the purpose and shall each year levy a sufficient amount to take care of accumulated or anticipated deficiencies, which levy shall not be subject to any statutory or charter tax limitation. Obligations for the payment of which the full faith and credit of the municipality is not pledged shall be called improvement warrants *or, in the case of bonds for fire protection or pedestrian skyway systems, revenue bonds* and shall contain a promise to pay solely out of the proper special fund *or funds pledged to their payment*. It shall be the duty of the municipal treasurer to pay maturing principal and interest on warrants *or revenue bonds* out of funds on hand in the proper ~~special fund funds~~ and not otherwise."

Page 7, after line 14, insert:

"Sec. 7. Minnesota Statutes 1982, section 429.101, subdivision 1, is amended to read:

Subdivision 1. [ORDINANCES.] In addition to any other method authorized by law or charter, the governing body of any municipality may provide for the collection of unpaid special charges for all or any part of the cost of

- (a) snow, ice, or rubbish removal from sidewalks,
- (b) weed elimination from streets or private property,
- (c) removal or elimination of public health or safety hazards from private property, excluding any structure included under the provisions of sections 463.15 to 463.26,
- (d) installation or repair of water service lines, street sprinkling or other dust treatment of streets,
- (e) the trimming and care of trees and the removal of unsound trees from any street,
- (f) the treatment and removal of insect infested or diseased trees on private property, the repair of sidewalks and alleys, or
- (g) the operation of a street lighting system, or
- (h) *the operation and maintenance of a fire protection or a pedestrian skyway system,*

as a special assessment against the property benefited. The council may by ordinance adopt regulations consistent with this section to make this authority effective, including, at the option of the council, provisions for placing primary responsibility upon the property owner or occupant to do the work himself (except in the case of street sprinkling or other dust treatment, alley repair, tree trimming, care, and removal or the operation of a street lighting system) upon notice before the work is undertaken, and for collection from

the property owner or other person served of the charges when due before unpaid charges are made a special assessment."

Renumber the sections in sequence and correct internal references

Amend the title as follows:

Page 1, line 2, after the semicolon, insert "authorizing the levy of special assessments or service charges for fire protection and pedestrian skyway systems;"

Page 1, line 5, after the second semicolon, insert "429.021, subdivision 1; 429.031, subdivision 3;"

Page 1, line 6, after the comma, insert "subdivision 2, and" and after the first semicolon, insert "429.101, subdivision 1;"

The motion prevailed. So the amendment was adopted.

S.F. No. 2100 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 47 and nays 0, as follows:

Those who voted in the affirmative were:

Adkins	Diessner	Knutson	Peterson, C.C.	Spear
Anderson	Dieterich	Kroening	Peterson, D.C.	Storm
Belanger	Frank	Kronebusch	Petty	Stumpf
Benson	Frederickson	Laidig	Pogemiller	Ulland
Bertram	Freeman	Lantry	Reichgott	Vega
Brataas	Isackson	Lessard	Renneke	Wegscheid
Chmielewski	Johnson, D.E.	Luther	Samuelson	Willet
Dahl	Jude	McQuaid	Schmitz	
Davis	Kamrath	Moe, R. D.	Sieloff	
DeCramer	Knaak	Olson	Solon	

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

Mr. Pogemiller moved that S.F. No. 2100 be laid on the table. The motion prevailed.

SPECIAL ORDER

H.F. No. 1786: A bill for an act relating to the military; modifying the qualifications of the adjutant general; changing the appointment of assistant adjutants general; mandating termination of an officer's commission when federal recognition is withdrawn; expanding the power of the adjutant general to sell an armory; and expanding the use of the proceeds from the sale of an armory; amending Minnesota Statutes 1982, sections 190.07; 190.08, subdivisions 1, 3, and 4; 190.09; 192.18, subdivision 1; and 193.36, subdivision 2.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 44 and nays 1, as follows:

Those who voted in the affirmative were:

Adkins	Davis	Jude	Moe, R. D.	Sieloff
Anderson	DeCramer	Kamrath	Olson	Solon
Belanger	Diessner	Knaak	Peterson, C. C.	Spear
Benson	Frank	Kroening	Peterson, D. C.	Storm
Berg	Frederickson	Laidig	Petty	Stumpf
Bertram	Freeman	Lantry	Pogemiller	Ulland
Brataas	Hughes	Luther	Ramstad	Vega
Chmielewski	Isackson	McQuaid	Renneke	Wegscheid
Dahl	Johnson, D.E.	Moe, D. M.	Schmitz	

Ms. Reichgott voted in the negative.

So the bill passed and its title was agreed to.

SPECIAL ORDER

H.F. No. 1835: A bill for an act relating to transportation; allowing prepayment of state contractual obligations to governmental subdivisions under agreements for the construction, improvement, or maintenance of trunk highways; amending Minnesota Statutes 1982, section 16A.41, subdivision 1, and by adding a subdivision.

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 46 and nays 0, as follows:

Those who voted in the affirmative were:

Adkins	DeCramer	Knaak	Peterson, D.C.	Storm
Anderson	Diessner	Knutson	Petty	Stumpf
Belanger	Dieterich	Kroening	Pogemiller	Ulland
Benson	Frank	Laidig	Ramstad	Vega
Berg	Frederickson	Lantry	Reichgott	Wegscheid
Bertram	Hughes	Luther	Renneke	Willet
Brataas	Isackson	McQuaid	Schmitz	
Chmielewski	Johnson, D.E.	Moe, D. M.	Sieloff	
Dahl	Jude	Moe, R. D.	Solon	
Davis	Kamrath	Olson	Spear	

So the bill passed and its title was agreed to.

SPECIAL ORDER

H.F. No. 1522: A bill for an act relating to Mille Lacs county; permitting the sale of certain tax-forfeited land.

Mr. Davis moved to amend H.F. No. 1522 as follows:

Page 1, after line 13, insert:

"Sec. 2. Minnesota Statutes 1982, section 282.018, is amended to read:

282.018 [TAX-FORFEITED LAND; MEANDERED LAKES; SALE; EXCEPTION.]

All land which is the property of the state as a result of forfeiture to the state for nonpayment of taxes, regardless of whether the land is held in trust for taxing districts, and which borders on or is adjacent to meandered lakes and other public waters and watercourses, and the live timber growing or being thereon, is hereby withdrawn from sale except as hereinafter provided. The

authority having jurisdiction over the timber on any such lands may sell the timber as otherwise provided by law for cutting and removal under such conditions as the authority may prescribe in accordance with approved, sustained yield forestry practices. The authority having jurisdiction over the timber shall reserve such timber and impose such conditions as the authority deems necessary for the protection of watersheds, wildlife habitat, shorelines, and scenic features. Within the area in Cook, Lake, and St. Louis counties described in the Act of Congress approved July 10, 1930 (46 Stat. 1020), the timber on tax-forfeited lands shall be subject to like restrictions as are now imposed by that act on federal lands.

Of all tax-forfeited land bordering on or adjacent to meandered lakes and other public waters and watercourses and so withdrawn from sale, a strip two rods in width, the ordinary high-water mark being the water side boundary thereof, and the land side boundary thereof being a line drawn parallel to the ordinary high-water mark and two rods distant landward therefrom, hereby is reserved for public travel thereon, and whatever the conformation of the shore line or conditions require, the authority having jurisdiction over such lands shall reserve a wider strip for such purposes.

Any tract or parcel of land which has *50 feet or less than 50 feet* of waterfront may be sold by the authority having jurisdiction over the land, in the manner otherwise provided by law for the sale of such lands, if the authority determines that it is in the public interest to do so. If the authority having jurisdiction over the land is not the commissioner of natural resources, the land may not be offered for sale without the prior approval of the commissioner of natural resources."

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 2, delete "Mille Lacs county" and insert "tax-forfeited land"

Page 1, line 3, after "land" insert "in Mille Lacs County; modifying certain limitations on the sale of tax-forfeited land which borders on or is adjacent to certain waters; amending Minnesota Statutes 1982, section 282.018"

The motion prevailed. So the amendment was adopted.

H.F. No. 1522 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 47 and nays 0, as follows:

Those who voted in the affirmative were:

Adkins	DeCramer	Laidig	Peterson, D.C.	Spear
Anderson	Diessner	Lantry	Petty	Storm
Belanger	Frank	Lessard	Pogemiller	Stumpf
Benson	Hughes	Luther	Ramstad	Ulland
Berg	Isackson	McQuaid	Reichgott	Vega
Bertram	Johnson, D.E.	Moe, D. M.	Renneke	Wegscheid
Brataas	Jude	Moe, R. D.	Samuelson	Willet
Chmielewski	Kamrath	Olson	Schmitz	
Dahl	Knaak	Pehler	Sieloff	
Davis	Kroening	Peterson, C.C.	Solon	

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

SPECIAL ORDER

H.F. No. 1456: A bill for an act relating to Otter Tail county; authorizing the board of county commissioners to sell certain real property.

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 44 and nays 0, as follows:

Those who voted in the affirmative were:

Adkins	Davis	Knaak	Peterson, C.C.	Solon
Anderson	DeCramer	Kroening	Peterson, D.C.	Spear
Belanger	Diessner	Laidig	Petty	Storm
Benson	Frank	Lantry	Pogemiller	Stumpf
Berg	Hughes	Lessard	Reichgott	Ulland
Bertram	Isackson	Luther	Renneke	Vega
Brataas	Johnson, D.E.	McQuaid	Samuelson	Wegscheid
Chmielewski	Jude	Moe, R. D.	Schmitz	Willet
Dahl	Kamrath	Olson	Sieloff	

So the bill passed and its title was agreed to.

SPECIAL ORDER

H.F. No. 523: A bill for an act relating to public utilities; defining scope of independent telephone companies accountable under chapter 237; amending Minnesota Statutes 1982, section 237.01, subdivision 3.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 45 and nays 0, as follows:

Those who voted in the affirmative were:

Adkins	Davis	Kamrath	Olson	Schmitz
Anderson	DeCramer	Knaak	Peterson, C.C.	Solon
Belanger	Diessner	Kroening	Peterson, D.C.	Spear
Benson	Frank	Laidig	Petty	Storm
Berg	Freeman	Lantry	Pogemiller	Stumpf
Bertram	Hughes	Lessard	Ramstad	Ulland
Brataas	Isackson	Luther	Reichgott	Vega
Chmielewski	Johnson, D.E.	McQuaid	Renneke	Wegscheid
Dahl	Jude	Moe, R. D.	Samuelson	Willet

So the bill passed and its title was agreed to.

SPECIAL ORDER

H.F. No. 1338: A bill for an act relating to elections; clarifying certain provisions relating to voting machines; amending Minnesota Statutes 1982, section 123.32, subdivision 7; Minnesota Statutes 1983 Supplement, section 204C.24, subdivision 1; proposing new law coded in Minnesota Statutes, chapter 206; repealing Minnesota Statutes 1982, sections 206.01; 206.02; 206.025; 206.026; 206.03; 206.04; 206.05; 206.06; 206.07; 206.075; 206.08, subdivisions 1, 2, and 4; 206.095; 206.10; 206.12; 206.13; 206.14; 206.15; 206.16; 206.17; 206.18; 206.185; 206.195; 206.20; 206.21, subdivisions 1, 2, 4, and 5; 206.211; and 206.23; and Minnesota Statutes 1983

Supplement, sections 206.08, subdivision 3; 206.09; 206.11; 206.19; and 206.21, subdivision 3.

Ms. Peterson, D.C. moved that the amendment made to H.F. No. 1338 by the Committee on Rules and Administration in the report adopted April 9, 1984, pursuant to Rule 49, be stricken. The motion prevailed. So the amendment was stricken.

H.F. No. 1338 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 42 and nays 0, as follows:

Those who voted in the affirmative were:

Adkins	Diessner	Kroening	Peterson, C.C.	Spear
Anderson	Frank	Laidig	Peterson, D.C.	Storm
Belanger	Frederickson	Lantry	Petty	Stumpf
Benson	Freeman	Lessard	Ramstad	Ulland
Berg	Isackson	Luther	Reichgott	Wegscheid
Bertram	Johnson, D.E.	McQuaid	Renneke	Willet
Chmielewski	Jude	Moe, D. M.	Samuelson	
Dahl	Kamrath	Moe, R. D.	Schmitz	
DeCramer	Knaak	Olson	Sieloff	

So the bill passed and its title was agreed to.

SPECIAL ORDER

H.F. No. 1936: A bill for an act relating to elections; changing the time for filing for school district offices; amending Minnesota Statutes 1982, section 123.32, subdivision 4.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 43 and nays 2, as follows:

Those who voted in the affirmative were:

Adkins	Frank	Knutson	Olson	Sieloff
Anderson	Frederickson	Kroening	Peterson, D.C.	Spear
Belanger	Freeman	Kronebusch	Petty	Storm
Bertram	Hughes	Laidig	Pogemiller	Stumpf
Chmielewski	Isackson	Lantry	Ramstad	Ulland
Dahl	Johnson, D.E.	Lessard	Reichgott	Wegscheid
Davis	Jude	Luther	Renneke	Willet
DeCramer	Kamrath	McQuaid	Samuelson	
Diessner	Knaak	Moe, R. D.	Schmitz	

Messrs. Benson and Berg voted in the negative.

So the bill passed and its title was agreed to.

SPECIAL ORDER

H.F. No. 1652: A bill for an act relating to no-fault insurance; requiring no-fault insurance coverage of certain benefits rather than medicare coverage; amending Minnesota Statutes 1982, section 65B.61, subdivision 1; repealing Minnesota Statutes 1982, section 65B.61, subdivision 2b.

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 44 and nays 0, as follows:

Those who voted in the affirmative were:

Adkins	DeCramer	Kamrath	McQuaid	Schmitz
Anderson	Diessner	Knaak	Olson	Sieloff
Belanger	Frank	Knutson	Peterson, D.C.	Spear
Benson	Frederickson	Kroening	Petty	Storm
Berg	Freeman	Kronebusch	Pogemiller	Stumpf
Bertram	Hughes	Laidig	Ramstad	Ulland
Chmielewski	Isackson	Lantry	Reichgott	Wegscheid
Dahl	Johnson, D.E.	Lessard	Renneke	Willet
Davis	Jude	Luther	Samuelson	

So the bill passed and its title was agreed to.

SPECIAL ORDER

S.F. No. 1622: A bill for an act relating to peace officers; increasing the compensation for dependents of peace officers killed in the line of duty; amending Minnesota Statutes 1982, section 352E.04.

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 43 and nays 0, as follows:

Those who voted in the affirmative were:

Adkins	DeCramer	Knaak	Olson	Spear
Anderson	Diessner	Knutson	Peterson, D.C.	Storm
Belanger	Frank	Kroening	Petty	Stumpf
Benson	Frederickson	Kronebusch	Ramstad	Ulland
Berg	Freeman	Laidig	Reichgott	Vega
Bertram	Isackson	Lantry	Renneke	Wegscheid
Chmielewski	Johnson, D.E.	Lessard	Samuelson	Willet
Dahl	Jude	Luther	Schmitz	
Davis	Kamrath	McQuaid	Sieloff	

So the bill passed and its title was agreed to.

SPECIAL ORDER

H.F. No. 1156: A bill for an act relating to the revisor of statutes; recodifying the laws governing the office of the revisor of statutes and the publication of Minnesota Statutes; amending Minnesota Statutes 1982, sections 15.18; 16.02, subdivision 24; 60B.01, subdivision 1; 336.1-101; 480.057; and 524.1-101; proposing new law coded in Minnesota Statutes, chapter 645; proposing new law coded as Minnesota Statutes, chapter 3C; repealing Minnesota Statutes 1982, sections 645.03; 645.04; 645.05; and 645.06; and chapters 482 and 648.

Mr. Jude moved to amend H.F. No. 1156, the unofficial engrossment, as follows:

Page 10, line 21, delete "100" and insert "150" and after "and" delete "150" and insert "200"

The motion prevailed. So the amendment was adopted.

Mr. Jude then moved to amend H.F. No. 1156, the unofficial engrossment, as follows:

Page 14, line 33, after "*removal*" insert "*from Minnesota Statutes, without substantive change in legal effect,*"

Page 14, lines 34 and 35, delete "*from Minnesota Statutes without substantive change in legal effect*"

Page 15, line 10, delete everything after the period

Page 15, delete lines 11 to 13 and insert "*The revisor shall not mechanically replace masculine pronouns and possessives with masculine and feminine equivalents but shall avoid repetition and preserve normal English word patterns.*"

The motion prevailed. So the amendment was adopted.

Mr. Willet moved to amend H. F. No. 1156, the unofficial engrossment, as follows:

Page 1, delete section 1

Page 1, line 23, delete "3C.02" and insert "3C.01"

Page 1, line 28, delete "3C.03" and insert "3C.02"

Page 2, line 15, delete "3C.04" and insert "3C.03"

Page 2, line 36, delete "3C.05" and insert "3C.04"

Page 3, line 35, delete "3C.06" and insert "3C.05"

Page 4, line 23, delete "3C.07" and insert "3C.06"

Page 5, line 9, delete "3C.08" and insert "3C.07"

Page 6, line 7, delete "3C.09" and insert "3C.08"

Page 7, line 8, delete "3C.10" and insert "3C.09"

Page 7, line 14, delete "3C.11" and insert "3C.10"

Page 8, line 25, delete "3C.12" and insert "3C.11"

Page 9, line 19, delete "3C.13" and insert "3C.12"

Page 11, line 34, delete "3C.14" and insert "3C.13"

Renumber the sections in sequence

The motion prevailed. So the amendment was adopted.

H.F. No. 1156 was read the third time, as amended, and placed on its final passage.

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

The roll was called, and there were yeas 44 and nays 1, as follows:

Those who voted in the affirmative were:

Anderson	Diessner	Knaak	Moe, D. M.	Samuelson
Belanger	Frank	Knutson	Moe, R. D.	Sieloff
Benson	Frederickson	Kroening	Olson	Spear
Berg	Freeman	Kronebusch	Peterson, D.C.	Storm
Bertram	Hughes	Laidig	Petty	Stumpf
Chmielewski	Isackson	Lantry	Pogemiller	Ulland
Dahl	Johnson, D.E.	Lessard	Ramstad	Wegscheid
Davis	Jude	Luther	Reichgott	Willet
DeCramer	Kamrath	McQuaid	Renneke	

Mrs. Adkins voted in the negative.

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

SPECIAL ORDER

S.F. No. 1807: A bill for an act relating to commerce; clarifying the right of indirect purchasers to sue for damages under the Minnesota Antitrust Law of 1971; amending Minnesota Statutes 1982, section 325D.57.

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 42 and nays 0, as follows:

Those who voted in the affirmative were:

Adkins	DeCramer	Knaak	Olson	Spear
Anderson	Diessner	Kroening	Peterson, D.C.	Storm
Belanger	Frank	Kronebusch	Petty	Stumpf
Benson	Frederickson	Laidig	Pogemiller	Ulland
Berg	Freeman	Lantry	Ramstad	Wegscheid
Bertram	Hughes	Luther	Reichgott	Willet
Chmielewski	Isackson	McQuaid	Renneke	
Dahl	Johnson, D.E.	Moe, D. M.	Samuelson	
Davis	Jude	Moe, R. D.	Sieloff	

So the bill passed and its title was agreed to.

SPECIAL ORDER

H.F. No. 1347: A bill for an act relating to crimes; prohibiting a person from depriving another of parental, custodial, or visitation rights; imposing penalties; providing for notification in custody or visitation orders of the deprivation of parental rights laws; requiring violations of the parental rights law to be reported under the child abuse reporting law; imposing a penalty; amending Minnesota Statutes 1982, sections 609.26; and 626.556, by adding a subdivision; proposing new law coded in Minnesota Statutes, chapter 518.

Mr. Sieloff moved to amend H. F. No. 1347, as amended pursuant to Rule 49, adopted by the Senate April 10, 1984, as follows:

(The text of the amended House File is identical to S. F. No. 1318.)

Page 1, line 17, delete "*whether temporary or final*" and insert "*and judgment and decree*"

Page 1, line 18, before "*child*" insert "*minor*" and delete everything after "*child*"

Page 1, line 19, delete "*of 18*" and delete everything after "*shall*" and

insert "*restate*"

Page 1, line 20, delete "*stepparents, or guardians of*"

Page 1, line 26, delete "*is guilty of a*"

Page 1, line 27, delete "*felony and*"

Page 2, line 2, delete "*, stepparent, or a legal*" and insert "*or other person having the right to visitation or custody*"

Page 2, line 3, delete "*custodian,*"

Page 2, line 4, delete "*, stepparent, or custodian*" and insert "*or other person*"

Page 2, line 5, delete "*the child*" and insert "*visitation or custody*"

Page 2, lines 6, 11, and 17, delete "*his own*" and insert "*a minor*"

Page 2, lines 7, 12, and 18, delete "*or stepchild under the age of 18*"

Page 2, line 12, delete the comma and insert "*or other person having the right to visitation or custody*"

Page 2, delete line 13

Page 2, line 14, delete "*under a court order*"

Page 2, line 15, delete "*, stepparent or legal*" and insert "*or other person having the right to visitation or custody*"

Page 2, line 16, delete "*custodian*"

Page 2, line 19, delete "*stepparent*" and insert "*other person having the right to visitation or custody*"

Page 2, line 19, delete "*being served with process in*" and insert "*commencement of*"

Page 2, line 20, delete "*affecting marriage*" and insert "*relating to child visitation or custody*" and delete "*a temporary or*" and insert "*an*"

Page 2, line 21, delete "*final*"

Page 3, reinstate lines 17 to 20

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

Mr. Sieloff then moved to amend H.F. No. 1347, as amended pursuant to Rule 49, adopted by the Senate April 10, 1984, as follows:

(The text of the amended House File is identical to S.F. No. 1318.)

Page 2, line 30, after "*physical*" insert "*or emotional*"

Page 3, after line 14, insert:

"*Subd. 5. [DEFENSES.] It shall be a defense to any prosecution under section 1 or 2 that:*

(1) the person taking the action and the child have not left the state of Minnesota; and

(2) within a period of 14 days after taking the action, a proceeding under

chapter 518 is commenced by the person taking the action or the attorney representing the person taking the action has consented to service of process by the party whose rights are being deprived for any action pursuant to chapter 518A, 518B, or 518C."

Renumber the subdivisions in sequence

The motion prevailed. So the amendment was adopted.

H.F. No. 1347 was then progressed.

SPECIAL ORDER

S.F. No. 1442: A bill for an act relating to resident aliens; clarifying the rights and responsibilities of resident aliens with respect to the distribution of economic benefits, militia enlistment, and veterans affairs; amending Minnesota Statutes 1982, sections 43A.11, subdivision 1; 60A.19, subdivision 7; 64A.10, subdivision 1; 85.018, subdivision 6; 98.45, subdivision 4; 98.47, subdivisions 8 and 15; 137.10; 147.25; 181.59; 184.26, subdivision 3; 190.06, subdivision 3; 197.03; 197.05; 197.447; 197.63, subdivision 1; 198.01; 256E.08, subdivision 10; 340.02, subdivision 8; 340.13, subdivision 12; 340.403, subdivision 3; 359.01; 360.015, subdivision 9; 395.14; 462.525, subdivision 10; 617.34; and 617.35; and Minnesota Statutes 1983 Supplement, section 51A.03, subdivision 1.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 48 and nays 1, as follows:

Those who voted in the affirmative were:

Adkins	Diessner	Kronebusch	Nelson	Samuelson
Anderson	Frank	Laidig	Olson	Schmitz
Belanger	Frederick	Lantry	Pehler	Spear
Benson	Frederickson	Lessard	Peterson, D.C.	Storm
Bertram	Hughes	Luther	Peterson, R.W.	Ulland
Brataas	Isackson	McQuaid	Petty	Vega
Chmielewski	Johnson, D.E.	Mehrkens	Pogemiller	Wegscheid
Dahl	Jude	Merriam	Ramstad	Willet
Davis	Knutson	Moe, D. M.	Reichgott	
DeCramer	Kroening	Moe, R. D.	Renneke	

Mr. Sieloff voted in the negative.

So the bill passed and its title was agreed to.

SPECIAL ORDER

H.F. No. 2038: A bill for an act relating to local government; providing procedures for making certain contracts; amending Minnesota Statutes 1983 Supplement, section 471.345, 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 34 and nays 21, as follows:

Those who voted in the affirmative were:

Adkins	Isackson	Laidig	Olson	Schmitz
Anderson	Johnson, D.E.	Lantry	Peterson, D.C.	Sieloff
Bertram	Jude	Lessard	Peterson, D.L.	Solon
Chmielewski	Kamrath	McQuaid	Petty	Stumpf
Diessner	Knaak	Mehrkens	Ramstad	Vega
Frederick	Knutson	Moe, R. D.	Reichgott	Wegscheid
Hughes	Kronebusch	Nelson	Renneke	

Those who voted in the negative were:

Belanger	Davis	Kroening	Pogemiller	Willet
Benson	DeCramer	Luther	Samuelson	
Berg	Dieterich	Merriam	Spear	
Brataas	Frank	Moe, D. M.	Storm	
Dahl	Frederickson	Peterson, R.W.	Ulland	

So the bill passed and its title was agreed to.

SPECIAL ORDER

H.F. No. 1850: A bill for an act relating to statutes; conforming various laws to judicial decisions of unconstitutionality; amending Minnesota Statutes 1982, sections 125.12, subdivision 4; 297A.25, subdivision 4; and 609.341, subdivision 11; repealing Minnesota Statutes 1982, section 238.07.

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 50 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

SPECIAL ORDER

H.F. No. 585: A bill for an act relating to commerce; art; regulating the sale of fine prints; providing sales and advertising disclosures; prescribing penalties; defining terms; proposing new law coded as Minnesota Statutes, chapter 324.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 51 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

SPECIAL ORDER

S.F. No. 924: A bill for an act relating to marriage dissolution; excluding mediators' information except on consent of the parties; providing for deposing of investigators; amending Minnesota Statutes 1982, section 518.167.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 51 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

SPECIAL ORDER

S.F. No. 2109: A resolution memorializing the International Joint Commission, the President and Congress to effectuate an agreement between Minnesota and Ontario on joint management of their border waters.

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

The question was taken on the passage of the resolution.

The roll was called, and there were yeas 52 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the resolution passed and its title was agreed to.

SPECIAL ORDER

S.F. No. 120: A bill for an act relating to local government; authorizing counties or cities to enact ordinances against trespassing under certain conditions; prescribing penalties; proposing new law coded in Minnesota Statutes, chapter 471.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 51 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

SPECIAL ORDER

S.F. No. 1492: A bill for an act relating to marriage dissolution; providing for determination and modification of child support; changing laws relating to docketing of judgments for support and maintenance; providing for withholding of support and maintenance from retirement and annuity benefits; providing for the vacating of liens of certain judgments; amending Minnesota Statutes 1982, sections 69.62; 257.66, by adding a subdivision; 353.15; 354.10; 422A.24; 423.39; 423.61; 423.813; 424.27; 518.55; 548.13; and 548.17; and Minnesota Statutes 1983 Supplement, sections 256.87, by adding a subdivision; 352.15, subdivision 1; 352B.071; 354A.11; 424A.02, subdivision 6; 518.17, subdivision 5; 518.551, subdivisions 5 and 9; 518.611, subdivision 3; 518C.17, subdivision 1; and 548.09, subdivisions 1 and 3; proposing new law coded in Minnesota Statutes, chapters 423A and 548; repealing Laws 1931, chapter 48, section 5; Laws 1935, chapter 192, section 4; Laws 1943, chapter 397, section 26; Laws 1945, chapter 74, section 5; Laws 1947, chapter 43, section 26; Laws 1949, chapters 87, section

29; 144, section 26; 378, section 26; and 406, section 7, subdivision 3, as amended; Laws 1953, chapters 91, section 12; 348, section 22; and 399, section 26; Laws 1955, chapters 75, section 27, as amended; 151, section 17; and 375, section 28; Laws 1959, chapter 131, section 22; Laws 1961, chapters 343, section 22, as amended; and 631, section 4; Laws 1963, chapters 443, section 22; and 643, section 23; Laws 1965, chapter 605, section 28; Laws 1971, chapter 51, section 14, subdivision 16; Laws 1973, chapter 432, section 7, subdivision 2; Laws 1974, chapter 382, section 7, subdivision 2; Laws 1977, chapter 374, section 15; and Laws 1982, chapter 610, section 18.

Ms. Berglin moved to amend S. F. No. 1492 as follows:

Page 2, lines 17 and 26, delete "25" and insert "24"

Page 8, line 34, delete "25" and insert "24"

Page 12, line 35, delete "25" and insert "24"

Page 13, line 16, delete "25" and insert "24"

Page 16, line 28, delete "25" and insert "24"

The motion prevailed. So the amendment was adopted.

S.F. No. 1492 was read the third time, as amended, and placed on its final passage.

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

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

Those who voted in the affirmative were:

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

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

SPECIAL ORDER

H.F. No. 1651: A bill for an act relating to crimes; including conservation officers as peace officers authorized to enforce the crime of fleeing a peace officer and related laws; setting penalties for flight from a peace officer under certain conditions; amending Minnesota Statutes 1982, sections 65B.605, subdivision 2; and 609.487, subdivisions 2 and 4.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 56 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

SPECIAL ORDER

H.F. No. 1562: A bill for an act relating to labor; providing for the prompt payment of commissions to commission salespersons who leave or lose their job; providing civil penalties for non-prompt payment; proposing new law coded in Minnesota Statutes, chapter 181.

Mr. Freeman moved that the amendment made to H.F. No. 1562 by the Committee on Rules and Administration in the report adopted April 10, 1984, pursuant to Rule 49, be stricken. The motion prevailed. So the amendment was stricken.

H.F. No. 1562 was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 60 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

SPECIAL ORDER

H.F. No. 1999: A bill for an act relating to the city of Duluth; authorizing the application of the energy conservation program to all structures containing dwelling units; amending Laws 1981, chapter 223, section 2.

Mr. Solon moved to amend H.F. No. 1999, as amended pursuant to Rule 49, adopted by the Senate April 5, 1984, as follows:

(The text of the amended House File is identical to S.F. No. 1660.)

Delete everything after the enacting clause and insert:

"Section 1. Laws 1981, chapter 223, section 2, is amended to read:

Sec. 2. [SURVEY AND CONTRACTS WITH HOMEOWNERS; SCOPE OF PROGRAM.]

Subdivision 1. [SURVEYS, AUDITS AND CONTRACTS.] The city may survey homes to identify those where significant energy waste exists and can be reduced by energy conservation projects including but not limited to insulation, weatherstripping, temperature controls, storm windows and doors, furnace modifications, or conversion to cheaper or more plentiful energy sources, at a capital cost recoverable within a 10 year period from energy cost savings. An energy audit to document the cost effectiveness of a full range of energy conserving measures must be performed prior to investment in such measures. It may contract with the owners of such homes to cause work and materials to be furnished for such projects by the means authorized in section 3 and subject to reimbursement in the ways contemplated in section 4.

Subd. 2. [OWNER-OCCUPIED AND MULTIFAMILY HOMES.] The program ~~shall be limited to~~ may include improvements to:

(1) "owner-occupied homes", defined as homes containing not more than four dwelling units, one occupied as a principal residence by an owner not engaged in the trade or business of rental real estate, and

(2) "multifamily homes", defined as structures or parts of structures rented from the owner and occupied as a principal residence by each renter.

Subd. 3. [SERIES OF BONDS AND NOTES.] Revenue bonds or notes authorized by section 5, if the proceeds are to be used for improvements to multifamily homes, shall be issued in one or more series separate from series of bonds or notes issued for improvements to owner-occupied homes.

Subd. 4. [IMPROVEMENTS TO OTHER PROPERTY.] Nothing herein, ~~however,~~ shall preclude the city from constructing or financing ~~similar~~ energy conservation improvements to other property, in any manner otherwise authorized by law or the city charter.

Sec. 2. Laws 1981, chapter 223, section 6, subdivision 2, is amended to read:

Subd. 2. [STATUS AND PROCEEDS OF BONDS AND NOTES.] The revenue bonds and notes authorized herein are not considered to be mortgage subsidy bonds within the meaning of section 103A of the Internal Revenue Code of 1954, as amended, or bonds issued to provide projects for residential rental property within the meaning of section 103(b)(4)(A), of said Code, which ~~provides~~ provide that the interest on such bonds is subject to federal income taxation unless exempted by reason of the performance of certain conditions stated in these sections; because ~~they~~ the bonds and notes are authorized for the purpose of financing improvements needed for the welfare of the city as a whole, to avoid hardship which would result from the failure of utility service within the city. The proceeds are not to be used for ~~owner-financing~~ of financing owner-occupied or multifamily home improvements generally, but for financing the city's undertaking of improvements which, though situated on private premises, are needed to protect all the citizens, in

a manner which is intended to pay the cost without thereby raising materially the level of current home energy costs of either the owners of the premises or other utility customers.

Sec. 3. Laws 1981, chapter 223, section 6, subdivision 3, is amended to read:

Subd. 3. [GENERAL POWERS.] Notwithstanding the provisions of subdivision 2, the city is authorized to do all things determined on the advice of counsel to be necessary or desirable to assure that any issue of revenue bonds or notes hereunder, if subject to section 103A or section 103(b)(4)(A) of the Internal Revenue Code of 1954, as amended, will be a qualified mortgage bond issue or will provide projects for residential rental property as described therein, ~~the interest on which through the performance of conditions necessary to assure that the interest will be and remain exempt from federal income taxation.~~ Until and unless it is determined by a clarifying amendment of section 103A of the Internal Revenue Code of 1954, as amended, or by rulings or regulations of the internal revenue service or a decision of a court of competent jurisdiction, that such issues are not mortgage subsidy bonds, the applicable limit established pursuant to section 103A of the Internal Revenue Code of 1954, as amended, upon the amount of qualified mortgage bonds which the city may issue in any calendar year, shall be \$3,000,000.

Sec. 4. [EFFECTIVE DATE.]

This act is effective upon compliance by the governing body of the city of Duluth with Minnesota Statutes, section 645.021, subdivision 3."

Amend the title as follows:

Page 1, line 3, delete "application" and insert "expansion" and delete "all"

Page 1, line 4, delete everything before the semicolon and insert "include multifamily homes"

Page 1, line 5, delete "section 2" and insert "sections 2; and 6, subdivisions 2 and 3"

The motion prevailed. So the amendment was adopted.

H.F. No. 1999 was read the third time, as amended, and placed on its final passage.

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

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

Those who voted in the affirmative were:

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

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

SPECIAL ORDER

S.F. No. 1978: A bill for an act relating to the metropolitan airports commission; defining its relationship to the legislature and the metropolitan council; amending Minnesota Statutes 1982, sections 473.611, subdivision 5; 473.621, subdivision 6, and by adding subdivisions.

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 49 and nays 9, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Adkins	Frank	Merriam	Peterson, D.C.	Spear
Berglin	Knaak	Novak	Peterson, R.W.	

So the bill passed and its title was agreed to.

SPECIAL ORDER

H.F. No. 1770: A bill for an act relating to the city of Minneapolis; authorizing compensation for members of the park and recreation board; amending Laws 1974, chapter 181, section 1, as amended.

Mr. Kroening moved to amend H.F. No. 1770, as amended pursuant to Rule 49, adopted by the Senate April 12, 1984, as follows:

(The text of the amended House File is identical to S.F. No. 1831.)

Page 1, after line 18, insert:

"Sec. 2. Laws 1974, chapter 182, section 1, is amended to read:

Section 1. [MINNEAPOLIS, CITY OF; COMPENSATION FOR LIBRARY BOARD MEMBERS.] Notwithstanding any provision of the home rule charter to the contrary, each trustee of the library board of the city of Minneapolis may, ~~upon his request therefor,~~ be compensated at the rate of ~~\$35 for each meeting of the board up to \$3,600 per annum paid in such a manner as may be determined by the library board;~~ such compensation to be paid as an operating expense of the board."

Page 1, line 20, delete "This act" and insert "Section 1"

Page 1, line 23, after the period, insert "Section 2 is effective after its approval by a majority of all the members of the library board of the city of Minneapolis, in compliance with the provisions of Minnesota Statutes, section 645.021, subdivision 3."

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 4, after "board" insert "and the library board"

Page 1, line 4, delete "chapter" and insert "chapters"

Page 1, line 5, before the period, insert "; and 182, section 1"

The motion prevailed. So the amendment was adopted.

H.F. No. 1770 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 41 and nays 12, as follows:

Those who voted in the affirmative were:

Adkins	Dicklich	Kroening	Nelson	Solon
Belanger	Diessner	Kronebusch	Pehler	Spear
Benson	Frederick	Laidig	Peterson, C.C.	Storm
Berg	Frederickson	Langseth	Peterson, D.C.	Vega
Berglin	Freeman	Lantry	Purfeerst	Wegscheid
Bernhagen	Hughes	Luther	Reichgott	
Chmielewski	Johnson, D.E.	Mehrkens	Renneke	
Dahl	Jude	Merriam	Samuelson	
Davis	Knutson	Moe, R. D.	Schmitz	

Those who voted in the negative were:

Anderson	Isackson	Olson	Peterson, R.W.	Sieloff
Bertram	Kamrath	Peterson, D.L.	Ramstad	Ulland
Frank	Knaak			

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

SPECIAL ORDER

H.F. No. 1912: A bill for an act relating to the state agricultural society; changing the authority to make certain contracts; amending Minnesota Statutes 1983 Supplement, section 37.19.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 51 and nays 3, as follows:

Those who voted in the affirmative were:

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

Messrs. Merriam; Peterson, R.W. and Spear voted in the negative.

So the bill passed and its title was agreed to.

SPECIAL ORDER

H.F. No. 1998: A bill for an act relating to commerce; excluding certain securities and commodities agreements from plain language contract regulation; amending Minnesota Statutes 1983 Supplement, section 325G.30, subdivision 3.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 46 and nays 10, as follows:

Those who voted in the affirmative were:

Adkins	Diessner	Knutson	Pehler	Sieloff
Anderson	Frederick	Kroening	Peterson, C.C.	Solon
Belanger	Frederickson	Kronebusch	Peterson, D.C.	Storm
Benson	Freeman	Laidig	Peterson, D.L.	Ulland
Berg	Hughes	Langseth	Purfeerst	Wegscheid
Bernhagen	Isackson	Luther	Ramstad	Willet
Brataas	Johnson, D.E.	Mehrken	Reichgott	
Chmielewski	Jude	Moe, R. D.	Renneke	
Dahl	Kamrath	Nelson	Samuelson	
Dicklich	Knaak	Olson	Schmitz	

Those who voted in the negative were:

Berglin	Davis	Frank	Merriam	Pogemiller
Bertram	DeCramer	Lantry	Peterson, R.W.	Spear

So the bill passed and its title was agreed to.

Remaining on the Order of Business of Motions and Resolutions, without objection, the Senate reverted to the Order of Business of Messages From the House. The motion prevailed.

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. 2317:

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, subdi-

vision 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.

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

Rice; Wynia; Carlson, L.; Kahn and Anderson, R. have been appointed as such committee on the part of the House.

House File No. 2317 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 16, 1984

Mr. Willet moved that the Senate accede to the request of the House for a Conference Committee on H.F. No. 2317, 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.

MOTIONS AND RESOLUTIONS - CONTINUED

Mr. Wegscheid moved that S.F. No. 1750 be taken from the table. The motion prevailed.

S.F. No. 1750: A bill for an act relating to commerce; providing for the classification of crime reports of the department of commerce; including certain financial institutions within the definition of broker-dealer of securities; broadening the securities transaction exemption for corporate transactions; providing for the receipt of applications for renewal of real estate broker and salesperson licenses; establishing certain fees relating to the regulation of real estate brokers and salespersons; providing for real estate salesperson licensing requirements after examination; clarifying a certain definition relating to recovery from the real estate education, research, and recovery fund; limiting recovery to cases involving judgments against licensed individuals; providing for the depositing of funds under the unclaimed property statutes; regulating sales of unclaimed property; appropriating money; amending Minnesota Statutes 1982, sections 13.81, subdivision 1; 13.82, subdivision 1; 80A.14, subdivision 4; 80A.15, subdivision 2; 80A.30, subdivision 2; 82.17, subdivision 3; 82.20, subdivisions 8 and 9; 82.21, subdivision 1; 82.22, subdivisions 2 and 5; 345.32; 345.47, subdivision 1; 345.48; 345.49; Minnesota Statutes 1983 Supplement, sections 82.22, subdivisions 6 and 13; and 82.34, subdivision 7; proposing new law coded in Minnesota Statutes, chapter 345.

Mr. Wegscheid moved that the Senate do not concur in the amendments by the House to S.F. No. 1750, 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 to be appointed on the part of the House. The motion prevailed.

Remaining on the Order of Business of Motions and Resolutions, without objection, the Senate reverted to the Order of Business of Reports of Committees, Second Reading of Senate Bills and Second Reading of House Bills.

REPORTS OF COMMITTEES

Mr. Willet from the Committee on Finance, to which was referred

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

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

Delete everything after the enacting clause and insert:

“Section 1. [CLAIMS.]

Subdivision 1. [PURPOSE.] The purpose of this act is to take an initial step toward resolving disputes over the ownership of land on the White Earth Indian Reservation by allowing the state to participate with the United States in an overall settlement, provided that the United States Congress passes a settlement statute that appropriately and meaningfully compensates both Indians and non-Indians for possible lost property interests.

Subd. 2. [AGREEMENT.] The attorney general is authorized to enter into an agreement with the United States as part of a settlement of Indian land claims on the White Earth Reservation. This agreement must transfer from the state to the United States the ownership of 10,000 acres of land within the White Earth Reservation currently owned in fee or in trust for local taxing districts by the state of Minnesota, including mineral interests when held in this manner. The agreement must state that the land is to be held in trust for the White Earth Band of Chippewa Indians.

Subd. 3. [CONDITIONS.] No agreement shall be entered into until the United States has approved legislation substantially resolving title problems currently identified by the Department of Interior on the White Earth Reservation, and until the attorney general is satisfied that the United States legislation appropriately and effectively settles Indian land claims on the White Earth Reservation and substantially removes the possibility of litigation with private landowners over the Indian land claims.

Sec. 2. [REPORT.]

The commissioner of natural resources shall submit a report to the legislature by January 1, 1985, which shall summarize the origin of the title of all lands held by the state of Minnesota in fee or in trust on the White Earth Reservation.

Sec. 3. [APPROPRIATION.]

The sum of \$600,000 is appropriated from the general fund to the attorney general, to be available until expended for the following purposes:

(1) \$500,000 is to be used to provide technical and computer assistance to the United States for implementing the settlement described in section 1; and

(2) \$100,000 is for necessary publication, administrative, and consulting costs in negotiating or implementing the agreement or settlement.

Sec. 4. [ACT VOID.]

If the United States Congress fails to pass appropriate legislation as described in section 1 by December 31, 1985, this act is null and void, and any unencumbered appropriations shall revert to the general fund."

Amend the title as follows:

Page 1, line 3, after the semicolon, insert "requiring a report to the legislature;"

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

Mr. Willet from the Committee on Finance, to which was re-referred

S.F. No. 1461: A bill for an act relating to claims against the state; provid-

ing for claims arising out of the injury or death of an inmate conditionally released or a person performing work pursuant to a court order; amending Minnesota Statutes 1982, section 3.739, subdivisions 1, 2, and by adding a subdivision.

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

Page 2, line 35, delete "*appropriation*" and insert "*claims procedure*"

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

Mr. Willet from the Committee on Finance, to which was re-referred

S.F. No. 1736: A bill for an act relating to education; creating the Minnesota educational computing corporation as a public corporation; transferring assets of the Minnesota educational computing consortium to the corporation; amending Minnesota Statutes 1983 Supplement, section 3.732, subdivision 1; 10A.01, subdivision 18; 15A.081, subdivision 1; 135A.07, subdivision 2; 352D.02, subdivision 1; and proposing new law coded as Minnesota Statutes, chapter 119; repealing Minnesota Statutes 1982, section 120.83; Minnesota Statutes 1983 Supplement, sections 120.801; 120.802; 120.803; 120.804; 120.805; 120.806; and 120.81.

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

Page 11, line 5, before "*The*" insert "*Subdivision 1. [INITIAL BOARD OF DIRECTORS.]*"

Page 11, after line 11, insert:

"*Subd. 2. [FISCAL YEAR 1985 APPROPRIATION.] The appropriation of \$280,000 for fiscal year 1985 for the MECC regional instructional computing coordinators included in Laws 1983, chapter 314, article 8, section 27, subdivision 2, to the Minnesota educational computing consortium shall be transferred to the corporation for the service specified in Laws 1983, chapter 314, article 8, section 15.*"

Page 11, after line 15, insert:

"*Sec. 16. [EFFECTIVE DATE.]*

Sections 1 to 15 are effective the day following final enactment."

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

Mr. Willet from the Committee on Finance, to which was referred

H.F. No. 1853: A bill for an act relating to public welfare; providing for rulemaking authority for the Community Social Services Act; amending Minnesota Statutes 1982, section 256E.05, subdivision 1.

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

Mr. Willet from the Committee on Finance, to which was re-referred

S.F. No. 1686: A bill for an act relating to vital statistics; providing for collection of statistical data concerning the dissolution or annulment of marriage; appropriating money; amending Minnesota Statutes 1982, section 144.224; proposing new law coded in Minnesota Statutes, chapter 518.

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

Page 2, line 24, after the dollar sign, insert “10,000”

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

Mr. Willet from the Committee on Finance, to which was re-referred

S.F. No. 1366: A bill for an act relating to voluntary nonjudicial resolution of disputes; establishing a community dispute resolution program; appropriating money; proposing new law coded in Minnesota Statutes, chapter 13; and proposing new law coded as Minnesota Statutes, chapter 494.

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

Mr. Willet from the Committee on Finance, to which was re-referred

S.F. No. 1819: A bill for an act relating to public welfare; clarifying the calculation of rates paid to health maintenance organizations; requiring the use of certain presentation materials; amending Minnesota Statutes 1982, sections 256.966, subdivision 2; and 256B.05, by adding a subdivision.

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

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

SECOND READING OF SENATE BILLS

S.F. Nos. 2067, 1461, 1736, 1686, 1366 and 1819 were read the second time.

SECOND READING OF HOUSE BILLS

H.F. No. 1853 was read the second time.

MOTIONS AND RESOLUTIONS - CONTINUED

Remaining on the Order of Business of Motions and Resolutions, 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.

Mr. Wegscheid introduced—

S.F. No. 2213: A bill for an act relating to health; providing for physical therapy evaluation and referral; prohibiting certain practices by physical therapists; amending Minnesota Statutes 1982, sections 148.65, subdivision 1; 148.75; and 148.76.

Referred to the Committee on Health and Human Services.

Remaining on the Order of Business of Motions and Resolutions, 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 the passage by the House of the following Senate File, AS AMENDED by the House, in which amendments the concurrence of the Senate is respectfully requested:

S.F. No. 1511: A bill for an act relating to taxation; property; modifying the exemption for property held by political subdivisions; amending Minnesota Statutes 1982, section 272.02, subdivision 5.

Senate File No. 1511 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned April 16, 1984

Mr. Moe, R.D., for Mr. Petty, moved that the Senate do not concur in the amendments by the House to S.F. No. 1511, 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 to be 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. 2317: Messrs. Willet, Kroening, Samuelson, Luther and Frederickson.

S.F. No. 1750: Messrs. Wegscheid, Freeman and Sieloff.

S.F. No. 1511: Messrs. Petty, Freeman and Kamrath.

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

MEMBERS EXCUSED

Mr. Waldorf was excused from the Session of today from 12:00 noon to

12:30 p.m. Ms. Berglin was excused from the Session of today from 12:00 noon to 1:40 p.m. Mr. Pehler was excused from the Session of today from 12:45 to 2:30 p.m. and 3:00 to 4:20 p.m. Mr. Mehrkens was excused from the Session of today from 3:30 to 4:10 p.m. Mr. Dieterich was excused from the Session of today from 3:35 to 4:40 p.m. and 5:30 to 6:03 p.m. Mrs. Kronebusch was excused from the Session of today from 3:00 to 3:45 p.m. Mr. Nelson was excused from the Session of today from 12:00 noon to 5:00 p.m. Ms. Reichgott was excused from the Session of today from 5:00 to 5:45 p.m.

ADJOURNMENT

Mr. Moe, R.D. moved that the Senate do now adjourn until 9:30 a.m., Tuesday, April 17, 1984. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate