

## EIGHTY-FIRST DAY

St. Paul, Minnesota, Wednesday, April 18, 1984

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

### CALL OF THE SENATE

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

Prayer was offered by the Chaplain, Rev. Warren Sorteberg.

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 communications were received.

April 16, 1984

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

The Honorable Jerome M. Hughes  
President of the Senate

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

S.F. No.	H.F. No.	Session Laws Chapter No.	Date Approved 1984	Date Filed 1984
1350		379	April 11	April 11
1127		380	April 11	April 11
1832		381	April 14	April 16

Sincerely,  
Joan Anderson Growe  
Secretary of State

April 16, 1984

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

The Honorable Jerome M. Hughes  
President of the Senate

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

S.F. No.	H.F. No.	Session Laws Chapter No.	Date Approved 1984	Date Filed 1984
	1944	382	April 16	April 16
	1784	383	April 16	April 16

Sincerely,  
Joan Anderson Growe  
Secretary of State

### CONFERENCE COMMITTEE EXCUSED

Pursuant to Rule 21, Mr. Luther moved that the following members be excused for a Conference Committee on H.F. No. 2317 at 10:00 a.m.:

Messrs. Luther, Kroening, Willet, Frederickson and Samuelson. The motion prevailed.

### MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to announce the passage by the House of the following Senate Files, herewith returned: S.F. Nos. 1477, 1867, 1891, 1986, 1112 and 1853.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned April 17, 1984

Mr. President:

I have the honor to announce that the House has adopted the recommendation and report of the Conference Committee on House File No. 1516, and repassed said bill in accordance with the report of the Committee, so adopted.

House File No. 1516 is herewith transmitted to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted April 17, 1984

### CONFERENCE COMMITTEE REPORT ON H.F. NO. 1516

A bill for an act relating to local government; authorizing the levy of special assessments or service charges for fire protection systems; amending Minnesota Statutes 1982, sections 429.011, by adding a subdivision; 429.021, subdivision 1; 429.031, subdivision 3; 429.091, subdivisions 2 and 3; and 429.101, subdivision 1.

April 13, 1984

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

The Honorable Jerome M. Hughes  
President of the Senate

We, the undersigned conferees for H.F. No. 1516, report that we have agreed upon the items in dispute and recommend as follows:

That the Senate recede from its amendment and that H.F. No. 1516 be further amended as follows:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1982, section 429.011, is amended by adding a subdivision to read:

*Subd. 14. "Fire protection system" means pipes, standpipes, sprinklers, control systems and other devices and equipment installed in or outside a building for the primary purpose of eliminating or reducing the spread of fire in the building or providing for safe evacuation of the building, whether the devices and equipment are publicly or privately owned.*

Sec. 2. 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.

(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. 3. 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 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 system. In the case of a petition for the installation of a fire protection 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. 4. 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 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.

Sec. 5. Minnesota Statutes 1982, section 429.091, subdivision 3, is amended to read:

Subd. 3. [METHOD OF ISSUANCE.] All obligations shall be issued in accordance with the provisions of chapter 475, except ~~that~~ *as provided in this subdivision*.

An election shall be required for bonds if less than 20 percent of the cost of the improvement to the municipality is to be assessed against benefited property.

*If the full faith, credit, and taxing power of the municipality is not pledged and the bonds are issued to finance a fire protection system, a public sale shall not be required and the obligations may*

- (a) mature at any time or times within 30 years from date of issue,*
- (b) mature in the amount or amounts,*
- (c) be sold at a price equal to the percentage of their par value, plus accrued interest, and*
- (d) bear interest at the rate or rates,*

*as agreed by the purchaser and the municipality, notwithstanding any limitation of interest rate or cost or of the amounts of annual maturities contained in any other law.*

The maturities shall be such as in the opinion of the council are warranted by the anticipated collections of assessments and ad valorem levies for the municipality's share of the cost; except that the council may in its discretion issue and sell temporary improvement bonds maturing and subject to further conditions as set forth in subdivision 5. All obligations shall state upon their face the purpose of the issue and the fund from which they are payable. The amount of any obligations issued hereunder shall not be included in deter-

mining the net indebtedness of any municipality under the provisions of any law limiting such indebtedness.

Sec. 6. 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 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.

Sec. 7. [EFFECTIVE DATE.]

*This act is effective the day following final enactment.*

Delete the title and insert:

"A bill for an act relating to local government; authorizing the levy of special assessments or service charges for fire protection systems; amending Minnesota Statutes 1982, sections 429.011, by adding a subdivision; 429.021, subdivision 1; 429.031, subdivision 3; 429.091, subdivisions 2 and 3; and 429.101, subdivision 1."

We request adoption of this report and repassage of the bill.

House Conferees: (Signed) Todd Otis, Linda Scheid, Jim Evans

Senate Conferees: (Signed) Lawrence J. Pogemiller, Gen Olson, Don B. Samuelson

Mr. Pogemiller moved that the foregoing recommendations and Confer-

ence Committee Report on H.F. No. 1516 be now adopted, and that the bill be repassed as amended by the Conference Committee. The motion prevailed. So the recommendations and Conference Committee Report were adopted.

H.F. No. 1516 was read the third time, as amended by the Conference Committee, and placed on its repassage.

The question was taken on the repassage of the bill, as amended by the Conference Committee.

The roll was called, and there were yeas 49 and nays 0, as follows:

Those who voted in the affirmative were:

Adkins	Davis	Kamrath	Nelson	Schmitz
Anderson	DeCramer	Knaak	Novak	Sieloff
Belanger	Dicklich	Kronebusch	Olson	Solon
Benson	Diessner	Laidig	Pehler	Storm
Berg	Dieterich	Langseth	Peterson, D.C.	Stumpf
Berglin	Frank	Lantry	Peterson, D.L.	Taylor
Bertram	Hughes	Luther	Petty	Ulland
Brataas	Isackson	McQuaid	Pogemiller	Wegscheid
Chmielewski	Jackson, D.E.	Mehrkins	Ramstad	Willet
Dahl	Jude	Moe, R. D.	Reichgott	

So the bill, as amended by the Conference Committee, was repassed and its title was agreed to.

### MESSAGES FROM THE HOUSE - CONTINUED

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. 2168: A bill for an act relating to transportation; highways; requiring certain loads of firewood to be securely covered or fastened; amending Minnesota Statutes 1982, section 169.81, subdivision 5.

Senate File No. 2168 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned April 17, 1984

Mr. Moe, R.D. moved that S.F. No. 2168 be laid on the table. The motion prevailed.

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. 1398: A bill for an act relating to arrests; providing for the arrest of a person charged with a misdemeanor on Sundays or between 10:00 p.m. and 8:00 a.m. on any other day if the person is found on a public highway or street, or in a public place; amending Minnesota Statutes 1983 Supplement, section 629.31.

Senate File No. 1398 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned April 17, 1984

Mr. Moe, R.D. moved that S.F. No. 1398 be laid on the table. The motion prevailed.

Mr. President:

I have the honor to announce the passage by the House of the following House Files, herewith transmitted: H.F. Nos. 29, 1401, 1949, 467, 1903, 1991, 2182, 229, 994, 1203, 1386 and 1561.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted April 17, 1984

### FIRST READING OF HOUSE BILLS

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

H.F. No. 29: A bill for an act relating to the legislature; reducing the number of members of the senate and house of representatives; amending Minnesota Statutes 1983 Supplement, sections 2.021 and 2.031, subdivision 1.

Referred to the Committee on Elections and Ethics.

H.F. No. 1401: A bill for an act relating to workers' compensation; providing coverage for ambulance drivers and attendants; amending Minnesota Statutes 1983 Supplement, section 176.011, subdivision 9.

Referred to the Committee on Employment.

H.F. No. 1949: A bill for an act relating to insurance; automobile; requiring a premium reduction for certain persons who complete an accident prevention course; proposing new law coded in Minnesota Statutes, chapter 65B.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 1814, now on Special Orders.

H.F. No. 467: A bill for an act relating to retirement; making various changes in benefits, contributions, and financing in laws governing various public pension funds; guaranteeing public pensions; directing reimbursement or credit of certain public pension contributions; appropriating funds; amending Minnesota Statutes 1982, sections 3.85, by adding subdivisions; 3A.02, subdivisions 1b and 3; 3A.03, subdivision 1; 352.04, subdivisions 2 and 3; 352.113, subdivision 3; 352.115, subdivision 1; 352.116, subdivision 1; 352.12, subdivision 2; 352.92; 352.93, subdivisions 2 and 3; 352.95, subdivision 1a; 352C.031, subdivision 2; 353.27, subdivisions 2 and 3a; 353.30, subdivision 1c; 353.31, subdivision 1; 353.32, subdivision 1a; 353.33, subdivision 2; 353.651, subdivision 3; 354.42, subdivision 5; 354.44, subdivision 6; 354.46, subdivisions 1 and 2; 354.48, subdivisions 2 and 3a; 354.62, subdivision 5; 354A.23, by adding a subdivision; 354A.31, subdivision 6; 356.20, subdivision 4; 356.215, subdivision 4; 490.124, subdivision 3; Minnesota Statutes 1983 Supplement, sections 352.113, subdivision 2; 352.115,



subdivision 8; 352B.02, subdivision 1; and Laws 1983, chapters 301, section 225, subdivision 1, and by adding a subdivision; 314, article 12, section 1, subdivision 2; proposing new law coded in Minnesota Statutes, chapters 3A, and 356; and repealing Minnesota Statutes 1982, sections 352.022; 353.38; and 354.07, subdivision 8; and Laws 1983, chapter 301, section 225, subdivision 2.

Referred to the Committee on Governmental Operations.

H.F. No. 1903: A bill for an act relating to local government; permitting refunding of certain bonds; clarifying powers of municipalities with respect to sale of air rights; amending Minnesota Statutes 1982, sections 472A.03; and 472A.06.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 2146, now on Special Orders.

H.F. No. 1991: A bill for an act relating to government operations; regulating public employee leave of absences; providing for task force member's compensation; providing for civil service exams for handicapped persons; authorizing the commissioner of employee relations to negotiate insurance premium rates; providing for appeals of disciplinary actions; providing for unclassified positions; amending Minnesota Statutes 1982, sections 15.014, subdivision 2; 15.0593; 15.62, subdivision 2; 43A.08, subdivision 1; 43A.33, subdivisions 1 and 3; Minnesota Statutes 1983 Supplement, sections 43A.08, subdivision 1a; 43A.10, subdivision 8; 43A.23, subdivision 1; 116L.03, subdivision 6; and 309.501, subdivision 1.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 2084, now on Special Orders.

H.F. No. 2182: A bill for an act relating to agriculture; changing certain duties of the commissioner; changing certain reporting requirements concerning agricultural land ownership; refining procedures and deadlines for investment reimbursement; authorizing the commissioner to use certain funds for short-term loans to help participants meet their family farm security loan obligations; exempting certain corporations and persons from the definition of warehouseman; exempting the family farm security program from certain loan commitment approval requirements; amending Minnesota Statutes 1982, sections 21.118; 29.27; 31.11; 31A.08; 41.56, subdivision 3; 231.01, subdivision 5; 500.221, subdivision 2a; 500.24, subdivision 4; and Minnesota Statutes 1983 Supplement, sections 16A.80, subdivision 2; 32.417; 38.02, subdivisions 1 and 3; and 500.221, subdivision 4.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 1962, now on Special Orders.

H.F. No. 229: A bill for an act relating to health; allowing any interested person to seek enforcement of certain patient rights; requiring disclosure of certain medical data or medical information for purposes of a lawful investigation; amending Minnesota Statutes 1982, sections 13.42, subdivision 2; 144.335; 254A.09; and Minnesota Statutes 1983 Supplement, section 144.651, subdivision 1.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 21, now on Special Orders.

H.F. No. 994: A bill for an act relating to mediation; providing for mediation of disputes; amending Minnesota Statutes 1982, section 595.02; proposing new law coded in Minnesota Statutes, chapter 572.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 966, now on Special Orders.

H.F. No. 1203: A bill for an act relating to landlords and tenants; requiring cities and towns to include notification of rights on certificates or licenses of occupancy; requiring the attorney general to publish a statement informing tenants of their rights and duties under state law; amending Minnesota Statutes 1982, section 504.22, subdivisions 1, 3, 5, and by adding a subdivision; proposing new law coded in Minnesota Statutes, chapter 471.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 2000, now on Special Orders.

H.F. No. 1386: A bill for an act relating to children; authorizing intervention by the juvenile court to protect children from abuse committed by family or household members; prohibiting public inspection of certain court records relating to the identity of criminal sexual conduct victims; clarifying a term in the child abuse reporting law; amending Minnesota Statutes 1982, sections 260.015, by adding subdivisions; 260.111, by adding a subdivision; and 260.191, by adding a subdivision; Minnesota Statutes 1983 Supplement, section 626.556, subdivision 2; proposing new law coded in Minnesota Statutes, chapters 260 and 609.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 1462, now on Special Orders.

H.F. No. 1561: A bill for an act relating to health; health maintenance organizations; providing continued coverage upon replacement of an insurance carrier; including health maintenance organization contracts in certain statutorily mandated coverages; providing for the disclosure and reporting by the organization of detailed financial, administrative and ownership information; providing for reporting of changes in provider agreements; granting the commissioner authority to adopt rules regarding the content of provider and other agreements; requiring certain deposits against insolvency; authorizing organizations to enter into certain health services contracts; requiring certain consumer rights information in evidences of coverage and annual information statements; providing for reimbursement of, and direct payments to, enrollees; providing for examination by the commissioner of health; specifying the examination powers of the commissioner; classifying certain data used for review purposes; prescribing penalties; amending Minnesota Statutes 1982, sections 60A.082; 62A.041; 62A.042; 62A.044; 62A.14; 62A.147; 62D.02, subdivision 8, and by adding subdivisions; 62D.04; 62D.05, subdivision 3; 62D.07, subdivisions 1, 3, and by adding subdivisions; 62D.08, subdivisions 1, 3, and by adding subdivisions; 62D.09; 62D.10, subdivision 3, and by adding a subdivision; 62D.101, subdivisions 2 and 2a; 62D.12, subdivisions 1, 2, 4, 9, 10, and by adding subdivisions; 62D.14; 62D.15, subdivision 1; 62D.17, subdivisions 1 and 4; 62D.19; 62D.22, subdivision 5, and by adding a subdivision; amending Minnesota Statutes 1983 Supplement, sections 62A.17, subdivision 6; 62D.03, subdivision 4; proposing new law coded in Minnesota Statutes, chapter 62D; repealing Minnesota Statutes 1982, sections 62D.10, subdivision 2; 62D.12,

subdivision 7; 62D.22, subdivision 9; and 62D.27.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 1417, now on Special Orders.

### 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. 1920 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.
1920	1916				

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H.F. No. 1920 be amended as follows:

Delete all the language after the enacting clause of H.F. No. 1920 and insert the language after the enacting clause of S.F. No. 1916, the second engrossment; further, delete the title of H.F. No. 1920 and insert the title of S.F. No. 1916, the second engrossment.

And when so amended H.F. No. 1920 will be identical to S.F. No. 1916, and further recommends that H.F. No. 1920 be given its second reading and substituted for S.F. No. 1916, 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. 820 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.
820	991				

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H.F. No. 820 be amended as follows:

Delete all the language after the enacting clause of H.F. No. 820 and insert the language after the enacting clause of S.F. No. 991, the second engrossment; further, delete the title of H.F. No. 820 and insert the title of S.F. No. 991, the second engrossment.

And when so amended H.F. No. 820 will be identical to S.F. No. 991, and

further recommends that H.F. No. 820 be given its second reading and substituted for S.F. No. 991, 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. 1264 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.
1264	2098				

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H.F. No. 1264 be amended as follows:

Delete all the language after the enacting clause of H.F. No. 1264 and insert the language after the enacting clause of S.F. No. 2098, the second engrossment; further, delete the title of H.F. No. 1264 and insert the title of S.F. No. 2098, the second engrossment.

And when so amended H.F. No. 1264 will be identical to S.F. No. 2098, and further recommends that H.F. No. 1264 be given its second reading and substituted for S.F. No. 2098, 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. 1966 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.
1966	1865				

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H.F. No. 1966 be amended as follows:

Delete all the language after the enacting clause of H.F. No. 1966 and insert the language after the enacting clause of S.F. No. 1865, the second engrossment; further, delete the title of H.F. No. 1966 and insert the title of S.F. No. 1865, the second engrossment.

And when so amended H.F. No. 1966 will be identical to S.F. No. 1865, and further recommends that H.F. No. 1966 be given its second reading and substituted for S.F. No. 1865, 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. 1422 for comparison with companion Senate File, reports the following House File was found not identical with companion Senate File as follows:

<b>SPECIAL ORDERS</b>		<b>CONSENT CALENDAR</b>		<b>CALENDAR</b>	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
1422	1975				

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H.F. No. 1422 be amended as follows:

Delete all the language after the enacting clause of H.F. No. 1422 and insert the language after the enacting clause of S.F. No. 1975, the first engrossment; further, delete the title of H.F. No. 1422 and insert the title of S.F. No. 1975, the first engrossment.

And when so amended H.F. No. 1422 will be identical to S.F. No. 1975, and further recommends that H.F. No. 1422 be given its second reading and substituted for S.F. No. 1975, 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. 1771 for comparison with companion Senate File, reports the following House File was found not identical with companion Senate File as follows:

<b>SPECIAL ORDERS</b>		<b>CONSENT CALENDAR</b>		<b>CALENDAR</b>	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
1771	1637				

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H.F. No. 1771 be amended as follows:

Delete all the language after the enacting clause of H.F. No. 1771 and insert the language after the enacting clause of S.F. No. 1637, the first engrossment; further, delete the title of H.F. No. 1771 and insert the title of S.F. No. 1637, the first engrossment.

And when so amended H.F. No. 1771 will be identical to S.F. No. 1637, and further recommends that H.F. No. 1771 be given its second reading and substituted for S.F. No. 1637, and that the Senate File be indefinitely postponed.

Pursuant to Rule 49, this report was prepared and submitted by the Secre-

tary 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. 1753 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.
1753	1529				

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. 1775 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.
1775	1960				

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H.F. No. 1775 be amended as follows:

Delete all the language after the enacting clause of H.F. No. 1775 and insert the language after the enacting clause of S.F. No. 1960, the second engrossment; further, delete the title of H.F. No. 1775 and insert the title of S.F. No. 1960, the second engrossment.

And when so amended H.F. No. 1775 will be identical to S.F. No. 1960, and further recommends that H.F. No. 1775 be given its second reading and substituted for S.F. No. 1960, 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. 2051 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.
2051	1457				

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H.F. No. 2051 be amended as follows:

Delete all the language after the enacting clause of H.F. No. 2051 and insert the language after the enacting clause of S.F. No. 1457, the third engrossment; further, delete the title of H.F. No. 2051 and insert the title of S.F. No. 1457, the third engrossment.

And when so amended H.F. No. 2051 will be identical to S.F. No. 1457, and further recommends that H.F. No. 2051 be given its second reading and substituted for S.F. No. 1457, 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. 2188 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.
2188	2067				

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H.F. No. 2188 be amended as follows:

Delete all the language after the enacting clause of H.F. No. 2188 and insert the language after the enacting clause of S.F. No. 2067, the first engrossment; further, delete the title of H.F. No. 2188 and insert the title of S.F. No. 2067, the first engrossment.

And when so amended H.F. No. 2188 will be identical to S.F. No. 2067, and further recommends that H.F. No. 2188 be given its second reading and substituted for S.F. No. 2067, 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. 1678 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.
1678	1749				

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H.F. No. 1678 be amended as follows:

Delete all the language after the enacting clause of H.F. No. 1678 and insert the language after the enacting clause of S.F. No. 1749, the second engrossment; further, delete the title of H.F. No. 1678 and insert the title of S.F. No. 1749, the second engrossment.

And when so amended H.F. No. 1678 will be identical to S.F. No. 1749, and further recommends that H.F. No. 1678 be given its second reading and substituted for S.F. No. 1749, 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. 1402 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.
1402	1353				

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. 1427 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.
1427	1390				

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H.F. No. 1427 be amended as follows:

Delete all the language after the enacting clause of H.F. No. 1427 and insert the language after the enacting clause of S.F. No. 1390, the first engrossment; further, delete the title of H.F. No. 1427 and insert the title of S.F. No. 1390, the first engrossment.

And when so amended H.F. No. 1427 will be identical to S.F. No. 1390, and further recommends that H.F. No. 1427 be given its second reading and substituted for S.F. No. 1390, and that the Senate File be indefinitely post-



poned.

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. 2006 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.
2006	1449				

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H.F. No. 2006 be amended as follows:

Delete all the language after the enacting clause of H.F. No. 2006 and insert the language after the enacting clause of S.F. No. 1449, the first engrossment; further, delete the title of H.F. No. 2006 and insert the title of S.F. No. 1449, the first engrossment.

And when so amended H.F. No. 2006 will be identical to S.F. No. 1449, and further recommends that H.F. No. 2006 be given its second reading and substituted for S.F. No. 1449, and that the Senate File be indefinitely postponed.

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

## SECOND READING OF HOUSE BILLS

H.F. Nos. 1920, 820, 1264, 1966, 1422, 1771, 1753, 1775, 2051, 2188, 1678, 1402, 1427 and 2006 were read the second time.

## MOTIONS AND RESOLUTIONS

Mr. Frederick moved that the names of Mr. Benson and Mrs. Kronebusch be added as co-authors to S.F. No. 1469. The motion prevailed.

Mr. Benson moved that his name be stricken as a co-author to S.F. No. 1880. The motion prevailed.

Mr. Johnson, D.J. introduced—

Senate Resolution No. 106: A Senate resolution commemorating the 50th anniversary of the establishment of the white-tailed deer in Finland using Minnesota stock.

Referred to the Committee on Rules and Administration.

Mr. Belanger introduced—

Senate Resolution No. 107: A Senate resolution congratulating Tom

Kurvers for being awarded the Hobey Baker award.

Referred to the Committee on Rules and Administration.

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. Chmielewski introduced—

S.F. No. 2218: A bill for an act proposing an amendment to the Minnesota Constitution, article I, by adding a section; providing for equality of rights under the law for men and women.

Referred to the Committee on Veterans and General Legislation.

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

S.F. No. 1940: A bill for an act relating to alcoholic beverages; allowing licensed premises to remain open after the hour sales of alcoholic beverages must cease; amending Minnesota Statutes 1982, sections 340.034, by adding a subdivision; and 340.14, by adding a subdivision.

Mr. Sieloff moved to amend S. F. No. 1940 as follows:

Page 1, after line 8, insert:

“Section 1. Minnesota Statutes 1983 Supplement, section 340.034, subdivision 1, is amended to read:

Subdivision 1. No sale of nonintoxicating malt liquor shall be made between the hours of one a.m. and eight a.m. on any weekday Monday through Saturday inclusive. Neither shall any sale of such liquor be made on any Sunday between the hours of one a.m. and twelve noon. *Within the hour before the sale of nonintoxicating malt liquor is prohibited under this subdivision, no employee of an establishment may announce “last call” or make any other similar statement.*”

Page 1, after line 26, insert:

“Sec. 3. Minnesota Statutes 1983 Supplement, section 340.14, subdivision 1, is amended to read:

Subdivision 1. [HOURS AND DAYS OF SALE.] No sale of intoxicating liquor shall be made after one a.m. on Sunday, nor until eight a.m. on Monday. No “on-sale” shall be made between the hours of one a.m. and eight o’clock a.m. on any weekday. No “on-sale” shall be made after eight o’clock p.m. on December 24. *Within one hour before the sale of intoxicating liquor is prohibited under this subdivision, no employee of an on-sale*

*establishment may announce "last call" or make any other similar statement. No "off-sale" shall be made before eight o'clock a.m. or after ten o'clock p.m. of any day. However, in cities of the first class, and in all cities located within a radius of 15 miles of a city of the first class within the same county, "off-sale" may be made only until eight o'clock p.m. of any day except Friday and Saturday, on which days "off-sale" may be made until ten o'clock p.m. No "off-sale" shall be made on New Years Day, January 1; Independence Day, July 4; Thanksgiving Day; or Christmas Day, December 25; but on the evenings preceding such days, if the sale of liquor is not otherwise prohibited on such evenings, "off-sales" may be made until ten o'clock p.m., except that no "off-sale" shall be made on December 24 after eight o'clock p.m. It shall be beyond the power of any municipality of this state to authorize or permit the sale of intoxicating liquors when such sale is prohibited by this section, however, any municipality may further limit the hours of sale of intoxicating liquors, provided that such further restricted hours for "on-sale" shall apply to both intoxicating liquors and nonintoxicating malt liquors."*

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 4, after the semicolon, insert "prohibiting on-sale liquor establishments from announcing last call;"

Page 1, line 6, before the period, insert "Minnesota Statutes 1983 Supplement, sections 340.034, subdivision 1; 340.14, subdivision 1;"

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

S.F. No. 1940 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 18, as follows:

Those who voted in the affirmative were:

Adkins	DeCramer	Jude	Olson	Schmitz
Belanger	Dicklich	Kamrath	Peterson, C.C.	Sieloff
Berg	Dieterich	Lantry	Peterson, D.C.	Spear
Bernhagen	Frank	Mehrkens	Petty	Storm
Bertram	Frederick	Moe, D. M.	Pogemiller	Vega
Brataas	Freeman	Moe, R. D.	Ramstad	Wegscheid
Davis	Johnson, D.J.	Novak	Reichgott	

Those who voted in the negative were:

Anderson	Hughes	Kronebusch	Renneke	Ulland
Benson	Isackson	Laidig	Solon	Waldorf
Chmielewski	Johnson, D.E.	Lessard	Stumpf	
Diessner	Knaak	McQuaid	Taylor	

So the bill passed and its title was agreed to.

### SPECIAL ORDER

H.F. No. 1427: A bill for an act relating to retirement; altering the investment authority for police and firefighter's relief associations; making various changes in the benefits for various retirement funds and plans; making con-

forming changes in benefit calculations; amending Minnesota Statutes 1982, sections 69.775; 352.113, subdivision 3; 352D.02, by adding a subdivision; 353.34, by adding a subdivision; 354.62, subdivision 2; 422A.18, subdivision 3; and 424.24, subdivision 2; Minnesota Statutes 1983 Supplement, sections 69.77, subdivision 2; 352.113, subdivision 2; 352.115, subdivision 8; and 356.61; Laws 1947, chapter 43, section 23, as amended; Laws 1963, chapter 643, section 20; Laws 1973, chapters 359, section 5, subdivision 2; and 432, section 4; Laws 1977, chapter 275, section 1; and Laws 1981, chapter 68, section 43; proposing new law coded in Minnesota Statutes, chapter 423A; repealing Laws 1971, chapter 184; Laws 1973, chapter 283; Laws 1978, chapter 617; Laws 1981, chapter 224, sections 255 and 256; Laws 1982, chapter 578, article II, section 1, subdivision 7, and section 3.

### SUSPENSION OF RULES

Mr. Frank moved that an urgency be declared within the meaning of Article IV, Section 19, of the Constitution of Minnesota, with respect to H.F. No. 1427 and that the rules of the Senate be so far suspended as to give H.F. No. 1427, now on Special Orders, its third reading and place it on its final passage. The motion prevailed.

H.F. No. 1427 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 0, as follows:

Those who voted in the affirmative were:

Adkins	Davis	Johnson, D.J.	Moe, R. D.	Sieloff
Anderson	DeCramer	Jude	Novak	Spear
Belanger	Dicklich	Kamrath	Olson	Storm
Benson	Diessner	Knaak	Peterson, C.C.	Stumpf
Berg	Dieterich	Kronebusch	Peterson, D.C.	Taylor
Berglin	Frank	Laidig	Petty	Ulland
Bernhagen	Frederick	Lantry	Ramstad	Waldorf
Bertram	Freeman	Lessard	Reichgott	
Brataas	Isackson	Mehrkens	Renneke	
Chmielewski	Johnson, D.E.	Moe, D. M.	Schmitz	

So the bill passed and its title was agreed to.

### SPECIAL ORDER

H.F. No. 1946: A bill for an act relating to the governor; transferring the authority to make certain appointments to various commissioners; providing for filling a membership vacancy on a board reoccurring within three months after the vacancy has been filled; amending Minnesota Statutes 1982, sections 1.35; 15.0575, by adding a subdivision; 16.71, subdivision 1; 121.934, subdivision 1; 182.656, subdivision 1; and 326.33, subdivision 1; Minnesota Statutes 1983 Supplement, sections 16.911, subdivision 1; 116E.02, subdivision 1; and 299B.05, subdivision 1; repealing Minnesota Statutes 1982, section 116E.02, subdivision 2.

Mr. Pogemiller moved to amend H.F. No. 1946, as amended pursuant to Rule 49, adopted by the Senate April 16, 1984, as follows:

(The text of the amended House File is identical to S.F. No. 1982.)

Page 3, line 20, strike "six members" and delete the comma

Page 3, lines 21 and 22, after "three" insert "members"

The motion prevailed. So the amendment was adopted.

Ms. Olson moved to amend H.F. No. 1946, as amended pursuant to Rule 49, adopted by the Senate April 16, 1984, as follows:

(The text of the amended House File is identical to S.F. No. 1982.)

Page 4, delete section 6

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 8, delete "121.934, subdivision 1;"

The motion prevailed. So the amendment was adopted.

Ms. Olson then moved to amend H.F. No. 1946, as amended pursuant to Rule 49, adopted by the Senate April 16, 1984, as follows:

(The text of the amended House File is identical to S.F. No. 1982.)

Page 4, after line 19, insert:

"Sec. 6. Minnesota Statutes 1983 Supplement, section 121.16, subdivision 1, is amended to read:

Subdivision 1. The department shall be under the administrative control of the commissioner of education which office is established. The commissioner shall be the secretary of the state board. The commissioner shall be appointed by the *state board with the approval of the governor* under the provisions of section 15.06. *For purposes of section 15.06, the board shall be the appointing authority.*

The commissioner shall be a person who possesses educational attainment and breadth of experience in the administration of public education and of the finances pertaining thereto commensurate with the spirit and intent of this code. Notwithstanding any other law to the contrary, the commissioner may appoint two deputy commissioners who shall serve in the unclassified service. The commissioner shall also appoint other employees as may be necessary for the organization of the department. The commissioner shall perform such duties as the law and the rules of the state board may provide and be held responsible for the efficient administration and discipline of the department. The commissioner shall make recommendations to the board and be charged with the execution of powers and duties which the state board may prescribe, from time to time, to promote public education in the state, to safeguard the finances pertaining thereto, and to enable the state board to carry out its duties."

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 11, before "and" insert "121.16, subdivision 1;"

### CALL OF THE SENATE

Mr. Pogemiller imposed a call of the Senate for the proceedings on the

Olson amendment. The Sergeant at Arms was instructed to bring in the absent members.

The question was taken on the adoption of the amendment.

Mr. Pogemiller moved that those not voting be excused from voting. The motion prevailed.

The roll was called, and there were yeas 28 and nays 35, as follows:

Those who voted in the affirmative were:

Anderson	Frank	Knaak	Mehrkens	Renneke
Belanger	Frederick	Knutson	Moe, R. D.	Storm
Benson	Frederickson	Kronebusch	Olson	Taylor
Berg	Isackson	Laidig	Peterson, D.L.	Ulland
Bernhagen	Jude	Lantry	Purfeerst	
Brataas	Kamrath	McQuaid	Ramstad	

Those who voted in the negative were:

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

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

H.F. No. 1946 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 2, as follows:

Those who voted in the affirmative were:

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

Messrs. Kamrath and Laidig voted in the negative.

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

### CONFERENCE COMMITTEE EXCUSED

Pursuant to Rule 21, Mr. Wegscheid moved that the following members be excused for a Conference Committee on S.F. No. 1750 at 11:15 a.m.:

Messrs. Wegscheid, Freeman and Sieloff. The motion prevailed.

### CONFERENCE COMMITTEE EXCUSED

Pursuant to Rule 21, Mr. Novak moved that the following members be

excused for a Conference Committee on H.F. No. 2016:

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

### CONFERENCE COMMITTEE EXCUSED

Pursuant to Rule 21, Mr. Nelson moved that the following members be excused for a Conference Committee on H.F. No. 1393:

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

### SPECIAL ORDER

H.F. No. 1216: A bill for an act relating to taxation; exempting petroleum products used in certain improvements to agricultural land for purposes of the sales tax; prohibiting certain retroactive imposition of tax, penalty, and interest; amending Minnesota Statutes 1982, section 297A.25, 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 49 and nays 0, as follows:

Those who voted in the affirmative were:

Adkins	Dahl	Kamrath	Moe, R. D.	Renneke
Anderson	Davis	Knaak	Novak	Samuelson
Belanger	DeCramer	Knutson	Olson	Schmitz
Benson	Dicklich	Kronebusch	Peterson, C.C.	Spear
Berg	Diessner	Laidig	Peterson, D.C.	Storm
Berglin	Frank	Lantry	Petty	Stumpf
Bernhagen	Hughes	Lessard	Pogemiller	Taylor
Bertram	Isackson	Luther	Purfeerst	Ulland
Brataas	Johnson, D.E.	McQuaid	Ramstad	Vega
Chmielewski	Jude	Mehrkens	Reichgott	

So the bill passed and its title was agreed to.

### SPECIAL ORDER

S.F. No. 1943: A bill for an act relating to the city of Oakdale; providing a temporary increase in the levy limit base.

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	Dahl	Jude	Mehrkens	Renneke
Anderson	DeCramer	Kamrath	Moe, R. D.	Samuelson
Belanger	Dicklich	Knaak	Novak	Schmitz
Benson	Diessner	Knutson	Olson	Spear
Berg	Frank	Kronebusch	Peterson, D.C.	Storm
Bernhagen	Frederick	Laidig	Petty	Stumpf
Bertram	Hughes	Lantry	Pogemiller	Ulland
Brataas	Isackson	Lessard	Ramstad	Vega
Chmielewski	Johnson, D.E.	McQuaid	Reichgott	Waldorf

So the bill passed and its title was agreed to.

**SPECIAL ORDER**

H.F. No. 1621: A bill for an act relating to veterans; allowing certain veterans organizations to use space in the Veterans Service Building; amending Minnesota Statutes 1982, section 197.58.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 43 and nays 0, as follows:

Those who voted in the affirmative were:

Adkins	Chmielewski	Jude	Mehrrens	Schmitz
Anderson	Dahl	Kamrath	Moe, R. D.	Spear
Belanger	DeCramer	Knaak	Olson	Storm
Benson	Dicklich	Knutson	Peterson, D.C.	Stumpf
Berg	Frank	Kronebusch	Petty	Ulland
Berglin	Frederick	Laidig	Ramstad	Vega
Bernhagen	Hughes	Lantry	Reichgott	Waldorf
Bertram	Isackson	Lessard	Renneke	
Brataas	Johnson, D.E.	McQuaid	Samuelson	

So the bill passed and its title was agreed to.

**SPECIAL ORDER**

H.F. No. 1532: A bill for an act relating to agriculture; designating milk as the official state drink; proposing new law coded in Minnesota Statutes, chapter 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 39 and nays 0, as follows:

Those who voted in the affirmative were:

Adkins	Dicklich	Knutson	Olson	Samuelson
Benson	Frank	Kronebusch	Peterson, C.C.	Schmitz
Berg	Frederick	Laidig	Peterson, D.C.	Spear
Bernhagen	Hughes	Lantry	Petty	Storm
Bertram	Johnson, D.E.	Lessard	Pogemiller	Stumpf
Brataas	Jude	McQuaid	Ramstad	Ulland
Chmielewski	Kamrath	Mehrrens	Reichgott	Vega
DeCramer	Knaak	Moe, R. D.	Renneke	

So the bill passed and its title was agreed to.

**SPECIAL ORDER**

H.F. No. 1404: A bill for an act relating to drainage; providing for correction of certain errors in county or judicial ditch benefits; amending Minnesota Statutes 1982, section 106.465.

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 37 and nays 0, as follows:

Those who voted in the affirmative were:



Adkins	DeCramer	Kamrath	Moe, R. D.	Spear
Anderson	Dicklich	Knaak	Olson	Storm
Belanger	Diessner	Kronebusch	Peterson, C.C.	Ulland
Berg	Frederick	Laidig	Petty	Vega
Bernhagen	Hughes	Lantry	Ramstad	Waldorf
Bertram	Isackson	Lessard	Reichgott	
Brataas	Johnson, D.E.	McQuaid	Renneke	
Chmielewski	Jude	Mehrkens	Schmitz	

So the bill passed and its title was agreed to.

### SPECIAL ORDER

H.F. No. 1304: A bill for an act relating to crimes; providing a penalty for theft of a firearm; providing a penalty for possession of a stolen firearm; amending Minnesota Statutes 1982, section 609.53, subdivision 1; and 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 36 and nays 0, as follows:

Those who voted in the affirmative were:

Adkins	Chmielewski	Jude	Olson	Stumpf
Anderson	DeCramer	Knaak	Peterson, C.C.	Ulland
Belanger	Dicklich	Kronebusch	Petty	Vega
Benson	Diessner	Laidig	Pogemiller	Waldorf
Berg	Dieterich	Lantry	Ramstad	
Bernhagen	Frederick	Lessard	Schmitz	
Bertram	Isackson	Mehrkens	Spear	
Brataas	Johnson, D.E.	Moe, R. D.	Storm	

So the bill passed and its title was agreed to.

### SPECIAL ORDER

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

Mr. Schmitz moved to amend S.F. No. 2072 as follows:

Page 16, line 4, delete "street" and insert "road"

Page 23, line 26, delete "The" and insert "A" and after "may" insert "by resolution"

The motion prevailed. So the amendment was adopted.

S.F. No. 2072 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 40 and nays 0, as follows:

Those who voted in the affirmative were:

Adkins	Chmielewski	Johnson, D.E.	McQuaid	Renneke
Anderson	Davis	Jude	Mehrkens	Schmitz
Belanger	DeCramer	Kamrath	Moe, D. M.	Spear
Benson	Dicklich	Knaak	Moe, R. D.	Storm
Berg	Diessner	Kronebusch	Novak	Stumpf
Bernhagen	Dieterich	Laidig	Olson	Ulland
Bertram	Frank	Lantry	Petty	Vega
Brataas	Isackson	Lessard	Ramstad	Waldorf

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

### SPECIAL ORDER

H.F. No. 432: A bill for an act relating to soil and water conservation; prohibiting in certain counties practices which cause accelerated erosion or sedimentation; prescribing penalties; proposing new law coded in Minnesota Statutes, chapter 40.

Mr. Davis moved to amend H. F. No. 432, the unofficial engrossment, as follows:

Page 8, after line 32, insert:

"Sec. 12. Laws 1979, chapter 315, section 2, as amended by Laws 1981, chapter 78, section 1, and Laws 1982, chapter 512, section 10, is amended to read:

#### Sec. 2. [JOINT LEGISLATIVE COMMITTEE.]

A joint legislative committee on agricultural land preservation and conservation shall be established by July 1, 1979, and shall expire by June 30, 1984 1994, unless extended by legislative action. The committee shall be composed of eight members of the house of representatives from the transportation, agriculture, environment and natural resources, local and urban affairs, and tax committees appointed by the speaker and the chairman of the committee on rules and legislative administration; and eight members of the senate from the transportation, agriculture and natural resources, local government, tax, and governmental operations committees appointed by the subcommittee on committees. The committee shall elect a chairman from among its members. The expenses of and per diem payments to committee members shall be paid from the legislative expense fund of their respective body upon approval of the chairman of the joint committee. Other expenses of the committee shall be evenly divided between the house of representatives and the senate."

Renumber the sections in sequence

Amend the title accordingly

The motion prevailed. So the amendment was adopted.

### CALL OF THE SENATE

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

Mr. Bernhagen moved to amend H.F. No. 432, the unofficial engrossment, as follows:

Page 8, line 34, delete "6" and insert "5"

The motion prevailed. So the amendment was adopted.

Mr. Bernhagen then moved to amend H.F. No. 432, the unofficial engrossment, as follows:

Page 3, line 15, after the period, insert "*An ordinance adopted under this section shall not take effect for 60 days. If, within 60 days after adoption of an ordinance, a petition signed by voters equal to or greater than ten percent of the votes cast in the county, statutory or home rule charter city, or town in the last general election requesting a referendum on the proposed ordinance is filed with the clerk, the ordinance shall not be effective until it has been submitted to the voters at a general or special election and a majority of votes cast on the question of approving the ordinance are in the affirmative.*"

The question was taken on the adoption of the amendment.

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

The roll was called, and there were yeas 27 and nays 31, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Adkins	Dieterich	Luther	Peterson, C.C.	Vega
Berglin	Frank	Merriam	Peterson, D.C.	Wegscheid
Bertram	Freeman	Moe, D. M.	Peterson, R. W.	Willet
Chmielewski	Hughes	Moe, R. D.	Petty	
Davis	Langseth	Nelson	Solon	
DeCramer	Lantry	Novak	Spear	
Dicklich	Lessard	Pehler	Stumpf	

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

H.F. No. 432 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 43 and nays 4, as follows:

Those who voted in the affirmative were:

Adkins	Davis	Knaak	Moe, R. D.	Sieloff
Belanger	DeCramer	Knutson	Novak	Spear
Benson	Diessner	Laidig	Olson	Stumpf
Berg	Dieterich	Langseth	Pehler	Ulland
Berglin	Freeman	Lantry	Peterson, D.C.	Vega
Bernhagen	Hughes	Luther	Petty	Waldorf
Bertram	Isackson	McQuaid	Pogemiller	Wegscheid
Brataas	Johnson, D.E.	Mehrkens	Ramstad	
Chmielewski	Jude	Merriam	Schmitz	

Messrs. Anderson, Kamrath, Mrs. Kronebusch and Mr. Renneke voted in the negative.

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

### SPECIAL ORDER

S.F. No. 1813: A bill for an act relating to motor fuels; setting standards for gasoline and gasoline-alcohol blends; providing testing authority for the weights and measures division of the department of public service; requiring alcohol content disclosure; providing for labeling; appropriating money; amending Minnesota Statutes 1982, sections 296.01, subdivision 3, and by adding a subdivision; 296.05, subdivisions 1, 4, 6, and by adding a subdivision; and 296.22, 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 41 and nays 0, as follows:

Those who voted in the affirmative were:

Adkins	Diessner	Kronebusch	Peterson, D.C.	Storm
Anderson	Frank	Laidig	Petty	Stumpf
Benson	Frederick	Lantry	Pogemiller	Vega
Berg	Freeman	Lessard	Ramstad	Waldorf
Berglin	Isackson	McQuaid	Reichgott	Wegscheid
Bernhagen	Johnson, D.E.	Mehrkens	Renneke	
Bertram	Jude	Moe, D. M.	Schmitz	
Brataas	Kamrath	Novak	Sieloff	
DeCramer	Knaak	Olson	Spear	

So the bill passed and its title was agreed to.

### SPECIAL ORDER

H.F. No. 1533: A bill for an act relating to health; authorizing the board of dentistry to adopt rules relating to special training and education of dentists; amending Minnesota Statutes 1982, section 150A.04, subdivision 5.

Mr. Wegscheid moved to amend H.F. No. 1533, 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. 1557.)

Page 1, line 16, delete everything after "sedation" and insert a period

Page 1, delete lines 17 and 18

The motion prevailed. So the amendment was adopted.

H.F. No. 1533 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 40 and nays 0, as follows:

Those who voted in the affirmative were:

Adkins	Davis	Kamrath	Moe, D. M.	Reichgott
Anderson	Dieterich	Knaak	Moe, R. D.	Renneke
Benson	Frank	Knutson	Novak	Schmitz
Berg	Frederick	Kronebusch	Olson	Spear
Berglin	Freeman	Lantry	Peterson, C.C.	Stumpf
Bernhagen	Isackson	Lessard	Peterson, D.C.	Vega
Bertram	Johnson, D.E.	McQuaid	Petty	Waldorf
Chmielewski	Jude	Mehrkens	Ramstad	Wegscheid

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

### SPECIAL ORDER

H.F. No. 1856: A bill for an act relating to charities; requiring disclosure from professional fund raisers; amending Minnesota Statutes 1982, section 309.556.

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 1, as follows:

Those who voted in the affirmative were:

Anderson	Frank	Laidig	Pehler	Storm
Benson	Frederick	Lantry	Peterson, D.C.	Stumpf
Berg	Freeman	Lessard	Peterson, D.L.	Taylor
Berglin	Isackson	Luther	Petty	Ulland
Bernhagen	Johnson, D.E.	McQuaid	Ramstad	Vega
Bertram	Jude	Mehrkens	Reichgott	Waldorf
Brataas	Kamrath	Moe, D. M.	Renneke	Wegscheid
Davis	Knaak	Nelson	Schmitz	
DeCramer	Knutson	Novak	Sieloff	
Dieterich	Kronebusch	Olson	Spear	

Mr. Merriam voted in the negative.

So the bill passed and its title was agreed to.

### SPECIAL ORDER

H.F. No. 2141: A bill for an act relating to commerce; modifying the definition of "franchise" for purposes of franchise regulation; amending Minnesota Statutes 1982, section 80C.01, 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 50 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Dieterich	Kronebusch	Nelson	Schmitz
Belanger	Frank	Laidig	Novak	Spear
Benson	Frederick	Lantry	Olson	Storm
Berg	Freeman	Lessard	Pehler	Stumpf
Berglin	Isackson	Luther	Peterson, D.C.	Taylor
Bernhagen	Johnson, D.E.	McQuaid	Peterson, D.L.	Ulland
Bertram	Jude	Mehrkens	Petty	Vega
Dahl	Kamrath	Merriam	Ramstad	Waldorf
DeCramer	Knaak	Moe, D. M.	Reichgott	Wegscheid
Diessner	Knutson	Moe, R. D.	Renneke	Willet

So the bill passed and its title was agreed to.

### SPECIAL ORDER

H.F. No. 1481: A bill for an act relating to financial institutions; credit unions; authorizing credit unions to offer various classes of shares, share certificates, deposits, or deposit certificates; authorizing the board of directors to establish different classes of shares and place certain restrictions on one class of shares; allowing credit unions to designate the par value of shares; specifying certain components of the capital of a credit union; adding investment losses to the category of contingencies against which credit unions are required to reserve; permitting the board to pay no dividend; permitting the exclusion of one share of a member from the requirement for insurance; amending Minnesota Statutes 1982, sections 52.12; 52.17, subdivision 1; 52.18; and 52.24, by adding a subdivision; Minnesota Statutes 1983 Supplement, sections 52.01; 52.04, subdivision 1; 52.05; and 52.09, 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 53 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

### SPECIAL ORDER

H.F. No. 2081: A bill for an act relating to local government; changing the authority for licensing and inspecting vending machines; amending Minnesota Statutes 1982, sections 145.031, subdivision 1; 145.55, subdivision 1; 145.918, subdivision 2; 366.01, subdivision 2; and Minnesota Statutes 1983 Supplement, section 28A.09, subdivision 1; repealing Minnesota Statutes 1982, sections 144.075; 375.193; and 461.02.

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

The question was taken on the passage of the bill.

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

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

### SPECIAL ORDER

H.F. No. 1803: A bill for an act relating to Kandiyohi County; authorizing the county to satisfy certain liens according to certain procedures.

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 0, as follows:

Those who voted in the affirmative were:

Adkins	Diessner	Knaak	Moe, R. D.	Samuelson
Anderson	Dieterich	Knutson	Novak	Schmitz
Belanger	Frank	Kronebusch	Olson	Sieloff
Benson	Frederick	Laidig	Pehler	Spear
Berg	Frederickson	Langseth	Peterson, D.L.	Storm
Berglin	Hughes	Lantry	Petty	Stumpf
Bernhagen	Isackson	Lessard	Pogemiller	Vega
Bertram	Johnson, D.E.	McQuaid	Ramstad	Waldorf
Davis	Jude	Mehrkens	Reichgott	Willet
Dicklich	Kamrath	Merriam	Renneke	

So the bill passed and its title was agreed to.

### SPECIAL ORDER

H.F. No. 1703: A bill for an act relating to local government; authorizing joint exercise of police powers; amending Minnesota Statutes 1982, section 471.59, 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 49 and nays 0, as follows:

Those who voted in the affirmative were:

Adkins	Diessner	Knaak	Moe, D. M.	Renneke
Anderson	Dieterich	Knutson	Moe, R. D.	Samuelson
Belanger	Frank	Kronebusch	Novak	Schmitz
Benson	Frederick	Laidig	Olson	Sieloff
Berg	Frederickson	Langseth	Pehler	Spear
Berglin	Hughes	Lantry	Peterson, D.L.	Storm
Bernhagen	Isackson	Lessard	Petty	Stumpf
Bertram	Johnson, D.E.	Luther	Pogemiller	Vega
Davis	Jude	McQuaid	Ramstad	Willet
Dicklich	Kamrath	Merriam	Reichgott	

So the bill passed and its title was agreed to.

### SPECIAL ORDER

H.F. No. 1886: A bill for an act relating to the dissemination and collection of data; welfare data; providing for the release of information in emergencies; classifying investigative data not on individuals; classifying certain licensing data; establishing procedures for the handling of medical data; amending Minnesota Statutes 1982, section 13.46, subdivisions 3, 4, 5, and 6; and Minnesota Statutes 1983 Supplement, section 13.46, subdivision 2.

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

The question was taken on the passage of the bill.

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

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

### SPECIAL ORDER

H.F. No. 1875: A bill for an act relating to certain counties; providing for changes in the administration of county nursing homes and the issuance of general obligation bonds for such homes; authorizing the establishment of facilities for the provision of supportive services; amending Minnesota Statutes 1982, sections 376.55; 376.56; 376.57; 376.58; 376.59; and 376.60; repealing Minnesota Statutes 1982, sections 376.573; 376.61; 376.62; 376.63; 376.64; 376.65; and 376.66.

Mr. Stumpf moved to amend H.F. No. 1875, as amended pursuant to Rule 49, adopted by the Senate April 16, 1984, as follows:

(The text of the amended House File is identical to S.F. No. 2078.)

Page 8, line 1, delete "shall" and insert "may"

Page 10, after line 17, insert:



"Sec. 7. Minnesota Statutes 1982, section 471.696, is amended to read:

471.696 [FISCAL YEAR; DESIGNATION.]

Beginning in 1979 the fiscal year of a city and all of its funds shall be the calendar year. The state auditor may upon request of a city and a showing of inability to conform, extend the deadline for compliance with this section for one year, *except that a city may, by resolution, provide that the fiscal year for city owned nursing homes be the reporting year designated by the commissioner of public welfare.*"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 2, delete "certain counties" and insert "local government"

Page 1, line 6, after the semicolon, insert "allowing for a change in the reporting year for municipal nursing homes;"

Page 1, line 8, delete "and"

Page 1, line 8, after "376.60" insert "and 471.696;"

The motion prevailed. So the amendment was adopted.

H.F. No. 1875 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 49 and nays 0, as follows:

Those who voted in the affirmative were:

Adkins	Davis	Jude	McQuaid	Schmitz
Anderson	Dicklich	Kamrath	Mehrkens	Sieloff
Belanger	Diessner	Knaak	Merriam	Solon
Benson	Dieterich	Knutson	Moe, D. M.	Spear
Berg	Frank	Kronebusch	Novak	Storm
Berglin	Frederickson	Laidig	Pehler	Stumpf
Bernhagen	Freeman	Langseth	Peterson, D. L.	Ulland
Bertram	Hughes	Lantry	Ramstad	Vega
Brataas	Isackson	Lessard	Renneke	Willet
Chmielewski	Johnson, D.E.	Luther	Samuelson	

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

### SPECIAL ORDER

H.F. No. 1107: A bill for an act relating to the Minnesota veterans home; clarifying the treatment of assets for purposes of calculating maintenance charges; amending Minnesota Statutes 1982, section 198.03.

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

So the bill passed and its title was agreed to.

### SPECIAL ORDER

S.F. No. 1776: A bill for an act relating to real property; providing that the mortgage and contract for deed moratorium shall not be repealed until May 1, 1985; allowing catastrophic medical expenses to be considered by a court when determining delay of foreclosure sale; providing that the equity in the property may be considered by a court; amending Minnesota Statutes 1983 Supplement, sections 47.20, subdivision 15; 559.21, subdivision 6; 580.031; 583.03; 583.05; and 583.08; Laws 1983, chapter 215, section 16.

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 1, as follows:

Those who voted in the affirmative were:

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

Mr. Kamrath voted in the negative.

So the bill passed and its title was agreed to.

### SPECIAL ORDER

H.F. No. 1382: A bill for an act relating to crimes; clarifying the definition of "inmate" and "term of imprisonment"; providing for the manner of modifying sentencing guidelines and resentencing affected inmates; amending Minnesota Statutes 1982, section 244.01, subdivisions 2 and 8; 244.09, subdivision 5, and by adding a subdivision; and Minnesota Statutes 1983 Supplement, section 244.09, subdivision 11.

Mr. Laidig moved to amend H.F. No. 1382, as amended pursuant to Rule 49, adopted by the Senate March 29, 1984, as follows:

(The text of the amended House File is identical to S.F. No. 1354.)

Strike the two Laidig amendments adopted by the Senate April 9, 1984, and further amend H.F. No. 1382 as follows:

Page 3, line 5, strike “; RETROACTIVE EFFECT”

Page 3, line 7, delete the new language

Page 3, line 8, delete everything before “the” and insert “Any modification which amends”

Page 3, line 10, delete everything after the comma and insert “or which would result in the reduction of any sentence or in the early release of any inmate, with the exception of a modification mandated or authorized by the legislature or relating to a crime”

Page 3, line 11, delete “that were”

Page 3, line 12, delete “legislative”

Page 3, line 13, delete “when” and insert “in which” and delete “desires to make a” and insert “wishes to make the”

Page 3, line 15, after the period, insert “All other modifications shall take effect according to the procedural rules of the commission.”

Page 3, line 16, delete “September” and insert “November”

Page 3, line 19, delete everything after the first “modifications”

Page 3, line 20, delete “guidelines” and before the period, insert “and all proposed modifications that will be submitted to the legislature on January 1”

Page 3, line 20, strike “Any”

Page 3, lines 21 to 25, strike the old language and delete the new language

Page 3, delete lines 26 to 36 and insert:

“Sec. 5. Minnesota Statutes 1982, section 244.09, is amended by adding a subdivision to read:

*Subd. 11a. [RETROACTIVITY.] Any person who is serving a sentence for which there is a modification in the numbers in the cells of the guidelines grid may institute a proceeding applying for retroactive application of the modification and the court may grant a petition for retroactivity subject to the same procedures, standards and conditions as set forth for post conviction remedies in section 590.01, subdivision 3. The right to petition for relief pursuant to this subdivision does not apply to modifications in the sentencing guidelines other than modification of the numbers in the cells of the guidelines grid. The right to petition for relief pursuant to this subdivision does not apply to offenders on supervised release or to offenders who have had their supervised release revoked and who have been reimprisoned.”*

Page 4, line 5, delete “subdivision 5” and insert “section 3”

Renumber the sections in sequence and correct the internal references

Amend the title as follows:

Page 1, line 7, delete “a subdivision” and insert “subdivisions”

The motion prevailed. So the amendment was adopted.

H.F. No. 1382 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 0, as follows:

Those who voted in the affirmative were:

Adkins	Chmielewski	Kamrath	Novak	Spear
Anderson	Davis	Knaak	Olson	Storm
Belanger	DeCramer	Kronebusch	Pehler	Stumpf
Benson	Diessner	Laidig	Peterson, D.L.	Taylor
Berg	Frank	Lantry	Pogemiller	Ulland
Berglin	Hughes	Lessard	Ramstad	Vega
Bernhagen	Isackson	Luther	Reichgott	Waldorf
Bertram	Johnson, D.E.	McQuaid	Samuelson	Willet
Brataas	Jude	Merriam	Sieloff	

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

### SPECIAL ORDER

H.F. No. 1507: A bill for an act relating to taxation; deed tax; exempting certain partitions; amending Minnesota Statutes 1982, section 287.22.

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	Chmielewski	Knaak	Moe, R. D.	Sieloff
Anderson	DeCramer	Knutson	Novak	Spear
Belanger	Diessner	Kronebusch	Olson	Storm
Benson	Frank	Lantry	Pehler	Stumpf
Berg	Hughes	Lessard	Peterson, D.L.	Ulland
Berglin	Isackson	Luther	Petty	Vega
Bernhagen	Johnson, D.E.	McQuaid	Pogemiller	Waldorf
Bertram	Jude	Mehrkins	Ramstad	Willet
Brataas	Kamrath	Merriam	Reichgott	

So the bill passed and its title was agreed to.

### SPECIAL ORDER

H.F. No. 1950: A bill for an act relating to discrimination; authorizing a woman to use a current or former surname for purposes of credit or business; prohibiting discrimination on the basis of use of a current or former surname; amending Minnesota Statutes 1982, section 363.03, subdivision 8, and by adding a subdivision; proposing new law coded in Minnesota Statutes, chapter 325G.

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

So the bill passed and its title was agreed to.

### SPECIAL ORDER

H.F. No. 2180: A resolution memorializing the President and Secretary of Transportation of the United States, the National Transportation Safety Board, and the Minnesota Congressional delegation to implement a program for the reflectorization of railroad rolling stock.

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 54 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the resolution passed and its title was agreed to.

### SPECIAL ORDER

S.F. No. 2108: A bill for an act relating to civil commitment; establishing procedures for passes for persons committed as mentally ill and dangerous; permitting respondents to be absent from hearings under certain conditions; clarifying the conditions under which a guardian may place a minor ward in certain treatment facilities; providing for status review of persons residing in state facilities pursuant to an order of guardianship; amending Minnesota Statutes 1982, sections 253B.02, by adding subdivisions; 253B.08, subdivision 5; and 253B.18, by adding subdivisions; Minnesota Statutes 1983 Supplement, sections 253B.07, subdivision 7; and 525.619; and Laws 1982, chapter 581, section 26, as amended.

Mr. Spear moved to amend S.F. No. 2108 as follows:

Page 4, line 6, after the period, insert "*Nothing in this subdivision shall be construed to give a patient an affirmative right to a pass plan.*"

Page 4, line 16, after "*found*" insert "*incompetent to proceed to trial for a*

*felony or was found"*

Page 5, delete line 3 and insert *"medical director's withdrawal of a proposed pass-eligible status after objection by a party notified under this subdivision but prior to action by the special review board"*

Page 5, line 4, delete *"pass-eligible status"*

Page 5, after line 6, insert:

*"Nothing in this subdivision shall be construed to give a patient an affirmative right to seek pass-eligible status from the special review board."*

Page 6, after line 23, insert:

"Sec. 9. Minnesota Statutes 1982, section 526.10, is amended to read:

526.10 [LAWS RELATING TO MENTALLY ILL PERSONS DANGEROUS TO THE PUBLIC TO APPLY TO PSYCHOPATHIC PERSONALITIES.]

Except as otherwise provided herein *or in chapter 253B*, the provisions of chapter 253B, pertaining to persons mentally ill and dangerous to the public shall apply with like force and effect to persons having a psychopathic personality, to persons alleged to have such personality, and to persons found to have such personality, respectively. Before such proceedings are instituted, the facts shall first be submitted to the county attorney, who, if he is satisfied that good cause exists therefor, shall prepare the petition to be executed by a person having knowledge of the facts and file the same with the judge of the probate court of the county in which the "patient," as defined in such statutes, has his settlement or is present. The judge of probate shall thereupon follow the same procedures set forth in chapter 253B, for judicial commitment. The judge may at his discretion exclude the general public from attendance at such hearing. If, upon completion of the hearing and consideration of the record, the court finds the proposed patient has a psychopathic personality, the court shall commit such person to a public hospital or a private hospital consenting to receive him, subject to a mandatory review by the head of the hospital within 60 days from the date of the order as provided for in chapter 253B for persons found to be mentally ill and dangerous to the public. The patient shall thereupon be entitled to all of the rights provided for in chapter 253B, for persons found to be mentally ill and dangerous to the public, and all of the procedures provided for in chapter 253B, for persons found to be mentally ill and dangerous to the public shall apply to such patient."

Page 7, line 32, delete "9" and insert "10"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 11, delete "and"

Page 1, line 12, after the semicolon, insert "and 526.10;"

The motion prevailed. So the amendment was adopted.

Mr. Sieloff moved to amend S.F. No. 2108 as follows:

Page 3, line 34, after "counsel" insert ", and any other person with a bona

*fide interest who requests notice in writing"*

The question was taken on the adoption of the amendment.

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

Those who voted in the affirmative were:

Anderson	Brataas	Johnson, D.E.	Olson	Ulland
Belanger	Chmielewski	Jude	Peterson, D.L.	Waldorf
Benson	Diessner	Knutson	Ramstad	
Berg	Frederickson	Kronebusch	Sieloff	
Bernhagen	Isackson	Lantry	Storm	

Those who voted in the negative were:

Berglin	Frank	Luther	Pogemiller	Vega
Bertram	Freeman	Merriam	Reichgott	Willet
Davis	Hughes	Moe, R. D.	Schmitz	
DeCramer	Kroening	Novak	Spear	
Dicklich	Langseth	Petty	Stumpf	

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

S.F. No. 2108 was then progressed.

### SPECIAL ORDER

S.F. No. 2133: A bill for an act relating to Hubbard County; authorizing county appropriations to the county agricultural society and an annual levy for that purpose; requiring a reverse referendum under certain circumstances.

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:

Anderson	Dicklich	Kronebusch	Olson	Storm
Belanger	Frank	Langseth	Peterson, D.L.	Stumpf
Benson	Freeman	Lantry	Petty	Ulland
Berg	Hughes	Lessard	Pogemiller	Vega
Berglin	Isackson	Luther	Ramstad	Waldorf
Bernhagen	Jude	Merriam	Reichgott	Willet
Bertram	Knaak	Moe, R. D.	Schmitz	
Davis	Knutson	Nelson	Sieloff	
DeCramer	Kroening	Novak	Spear	

So the bill passed and its title was agreed to.

### SPECIAL ORDER

S.F. No. 2010: A bill for an act relating to Hubbard County; authorizing a special levy for park and recreation purposes; requiring a reverse referendum under certain circumstances.

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 0, as follows:

Those who voted in the affirmative were:

Anderson	Frank	Kronebusch	Novak	Spear
Belanger	Frederickson	Langseth	Olson	Storm
Benson	Freeman	Lantry	Pehler	Stumpf
Berglin	Hughes	Lessard	Peterson, D.L.	Ulland
Bernhagen	Isackson	Luther	Petty	Vega
Bertram	Jude	McQuaid	Pogemiller	Waldorf
Davis	Kamrath	Mehrkins	Ramstad	Willet
DeCramer	Knaak	Merriam	Reichgott	
Dicklich	Knutson	Moe, R. D.	Schmitz	
Dieterich	Kroening	Nelson	Sieloff	

So the bill passed and its title was agreed to.

### SPECIAL ORDER

S.F. No. 2138: A bill for an act relating to sentencing; permitting courts to utilize a variety of noninstitutional sanctions as a condition of a stayed sentence; providing a preference for noninstitutional sanctions in certain cases; amending Minnesota Statutes 1982, sections 609.135, by adding a subdivision; 609.14, subdivisions 1 and 3; and Minnesota Statutes 1983 Supplement, section 609.135, subdivision 1.

Mr. Petty moved to amend S. F. No. 2138 as follows:

Page 2, line 10, before "*sentence*" insert "*a*" and after "*sentence*" insert "*that does not include a term of incarceration as a condition of the stay*"

The motion prevailed. So the amendment was adopted.

S.F. No. 2138 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	Kroening	Novak	Spear
Anderson	Dieterich	Kronebusch	Olson	Storm
Belanger	Frank	Langseth	Pehler	Stumpf
Benson	Frederickson	Lantry	Peterson, D.L.	Taylor
Berg	Freeman	Lessard	Petty	Ulland
Berglin	Hughes	Luther	Pogemiller	Vega
Bertram	Isackson	Mehrkins	Purfeerst	Willet
Davis	Jude	Merriam	Ramstad	
DeCramer	Kamrath	Moe, R. D.	Schmitz	
Dicklich	Knutson	Nelson	Sieloff	

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

### SPECIAL ORDER

H.F. No. 756: 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.

Mr. Jude moved to amend H.F. No. 756, as amended pursuant to Rule 49, adopted by the Senate April 17, 1984, as follows:

(The text of the amended House File is identical to S.F. No. 2173.)

Page 1, after line 23, insert:

*"A verification upon oath or affirmation includes a signature under oath required by rule 33 of the rules of civil procedure of the district court."*

Page 2, line 10, delete "to 3" and insert "and 2"

Page 2, line 15, delete everything after the period

Page 2, delete lines 16 and 17

The motion prevailed. So the amendment was adopted.

H.F. No. 756 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 49 and nays 1, as follows:

Those who voted in the affirmative were:

Adkins	Diessner	Kroening	Olson	Solon
Anderson	Dieterich	Kronebusch	Pehler	Spear
Belanger	Frank	Langseth	Peterson, D.L.	Storm
Berg	Frederick	Lantry	Petty	Stumpf
Berglin	Frederickson	Lessard	Pogemiller	Taylor
Bernhagen	Freeman	Luther	Purfeerst	Ulland
Bertram	Isackson	McQuaid	Ramstad	Vega
Brataas	Jude	Mehrkins	Reichgott	Waldorf
Davis	Kamrath	Moe, R. D.	Schmitz	Willet
Dicklich	Knutson	Nelson	Sieloff	

Mr. Knaak voted in the negative.

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

### SPECIAL ORDER

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.

Mr. Pehler moved to amend S.F. No. 1736 as follows:

Page 11, after line 19, insert:

"Sec. 15. [USE OF NAME.]

*The secretary of state shall record M.E.C.C., MECC, Minnesota Educational Computing Consortium, Minnesota Educational Computing Corporation, and Software Minnesota as reserved for the exclusive use by the corporation."*

Renumber the sections in sequence and correct the internal references

The motion prevailed. So the amendment was adopted.

S.F. No. 1736 was read the third time, as amended, and placed on its final passage.

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

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

Those who voted in the affirmative were:

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

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

### SPECIAL ORDER

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.

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 11, as follows:

Those who voted in the affirmative were:

Adkins	Frederick	Luther	Peterson, R.W.	Spear
Berglin	Frederickson	McQuaid	Petty	Stumpf
Bertram	Hughes	Merriam	Pogemiller	Taylor
Chmielewski	Jude	Moe, D. M.	Purfeerst	Ulland
Davis	Kroening	Moe, R. D.	Ramstad	Vega
Dicklich	Laidig	Nelson	Reichgott	Waldorf
Diessner	Langseth	Novak	Schmitz	Wegscheid
Dieterich	Lantry	Olson	Sieloff	Willett
Frank	Lessard	Peterson, C.C.	Solon	

Those who voted in the negative were:

Anderson	Isackson	Knaak	Kronebusch	Peterson, D.L.
Belanger	Kamrath	Knutson	Mehrkins	Storm
Bernhagen				

So the bill passed and its title was agreed to.

### SPECIAL ORDER

S.F. No. 1441: A bill for an act relating to the operation of the department

of economic security; funding sheltered workshop and work activity programs based on evaluated effectiveness; defining sheltered employee; requiring rulemaking and a report to the legislature; appropriating money; amending Minnesota Statutes 1982, sections 129A.01 and 129A.08.

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 57 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

### SPECIAL ORDER

H.F. No. 1264: A bill for an act relating to commerce; regulating pipefitters and pipefitting; appropriating money; amending Minnesota Statutes 1982, sections 326.46; 326.47; 326.48; and 326.50; proposing new law coded in Minnesota Statutes, chapters 175 and 326; repealing Minnesota Statutes 1982, section 326.49.

### SUSPENSION OF RULES

Mr. Pogemiller moved that an urgency be declared within the meaning of Article IV, Section 19, of the Constitution of Minnesota, with respect to H.F. No. 1264 and that the rules of the Senate be so far suspended as to give H.F. No. 1264, now on Special Orders, its third reading and place it on its final passage. The motion prevailed.

Mr. Pogemiller moved that the amendment made to H.F. No. 1264 by the Committee on Rules and Administration in the report adopted April 18, 1984, pursuant to Rule 49, be stricken. The motion prevailed. So the amendment was stricken.

H.F. No. 1264 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	Dieterich	Lantry	Peterson, R. W.	Taylor
Belanger	Frank	Lessard	Petty	Ulland
Berglin	Frederickson	Luther	Pogemiller	Vega
Bertram	Freeman	McQuaid	Purfeerst	Waldorf
Brataas	Hughes	Merriam	Reichgott	Wegscheid
Chmielewski	Johnson, D. E.	Moe, D. M.	Schmitz	Willet
Davis	Jude	Moe, R. D.	Sieloff	
DeCramer	Knaak	Novak	Spear	
Dicklich	Knutson	Olson	Storm	
Diessner	Laidig	Peterson, D. L.	Stumpf	

Those who voted in the negative were:

Anderson	Bernhagen	Isackson	Kronebusch	Ramstad
Berg	Frederick	Kamrath	Mehrrens	Renneke

So the bill passed and its title was agreed to.

The question recurred on S.F. No. 2108.

### SPECIAL ORDER

S.F. No. 2108: A bill for an act relating to civil commitment; establishing procedures for passes for persons committed as mentally ill and dangerous; permitting respondents to be absent from hearings under certain conditions; clarifying the conditions under which a guardian may place a minor ward in certain treatment facilities; providing for status review of persons residing in state facilities pursuant to an order of guardianship; amending Minnesota Statutes 1982, sections 253B.02, by adding subdivisions; 253B.08, subdivision 5; and 253B.18, by adding subdivisions; Minnesota Statutes 1983 Supplement, sections 253B.07, subdivision 7; and 525.619; and Laws 1982, chapter 581, section 26, as amended.

Mr. Diessner moved to amend S.F. No. 2108 as follows:

Page 4, line 30, after the period insert "*The notice to the county attorney shall include the names of any persons the medical director has reason to believe may be potential victims of the patient.*"

The motion prevailed. So the amendment was adopted.

### CALL OF THE SENATE

Mr. Sieloff imposed a call of the Senate for the balance of the proceedings on S.F. No. 2108. The Sergeant at Arms was instructed to bring in the absent members.

Mr. Sieloff moved to amend S.F. No. 2108 as follows:

Page 3, line 34, delete "*and*"

Page 3, line 34, after "*counsel*" insert "*and any victim, relative, neighbor, friend, or acquaintance, or any of their family members who request notice in writing*"

The question was taken on the adoption of the amendment.

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

The roll was called, and there were yeas 35 and nays 30, as follows:

Those who voted in the affirmative were:

Anderson	Diessner	Kamrath	Lessard	Schmitz
Belanger	Dieterich	Knaak	McQuaid	Sieloff
Benson	Frederick	Knutson	Mehrkens	Storm
Berg	Frederickson	Kroening	Olson	Taylor
Bernhagen	Isackson	Kronebusch	Peterson, D. L.	Ulland
Brataas	Johnson, D.E.	Laidig	Ramstad	Waldorf
Chmielewski	Jude	Lantry	Renneke	Wegscheid

Those who voted in the negative were:

Adkins	Dicklich	Luther	Peterson, C. C.	Reichgott
Berglin	Frank	Merriam	Peterson, D. C.	Solon
Bertram	Freeman	Moe, D. M.	Peterson, R. W.	Spear
Dahl	Hughes	Moe, R. D.	Petty	Stumpf
Davis	Johnson, D.J.	Nelson	Pogemiller	Vega
DeCramer	Langseth	Novak	Purfeerst	Willet

The motion prevailed. So the amendment was adopted.

S.F. No. 2108 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 55 and nays 0, as follows:

Those who voted in the affirmative were:

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

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

### SPECIAL ORDER

S.F. No. 1614: A bill for an act relating to mental health; authorizing establishment of a demonstration project for treatment of compulsive gamblers; appropriating money; proposing new law coded in Minnesota Statutes, chapter 240.

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 11, as follows:

Those who voted in the affirmative were:

Adkins	Dieterich	Laidig	Peterson, R. W.	Spear
Berg	Frank	Lantry	Petty	Storm
Berglin	Frederick	Luther	Pogemiller	Stumpf
Bernhagen	Frederickson	McQuaid	Purfeerst	Taylor
Bertram	Hughes	Merriam	Ramstad	Vega
Chmielewski	Johnson, D.E.	Nelson	Reichgott	Wegscheid
DeCramer	Jude	Novak	Renneke	Willet
Dicklich	Knaak	Olson	Sieloff	
Diessner	Kroening	Pehler	Solon	

Those who voted in the negative were:

Anderson  
Belanger  
Benson

Isackson  
Kamrath

Knutson  
Kronebusch

Mehrkens  
Peterson, D.L.

Schmitz  
Ulland

So the bill passed and its title was agreed to.

### SPECIAL ORDER

S.F. No. 2178: A resolution memorializing the United States Environmental Protection Agency to adopt rules for a ban on leaded gasoline, and memorializing the Congress of the United States to enact legislation either prohibiting leaded gasoline or allowing the states to prohibit it.

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 35 and nays 17, as follows:

Those who voted in the affirmative were:

Adkins	Frederickson	Lessard	Petty	Spear
Belanger	Hughes	Luther	Pogemiller	Stumpf
Dahl	Jude	McQuaid	Ramstad	Ulland
Davis	Knaak	Merriam	Reichgott	Vega
Diessner	Kroening	Moe, R. D.	Schmitz	Waldorf
Dieterich	Laidig	Olson	Sieloff	Wegscheid
Frank	Lantry	Peterson, R.W.	Solon	Willet

Those who voted in the negative were:

Anderson	Chmielewski	Kamrath	Mehrkens	Storm
Benson	DeCramer	Knutson	Peterson, D.L.	
Berg	Isackson	Kronebusch	Purfeerst	
Bertram	Johnson, D.E.	Langseth	Renneke	

So the resolution passed and its title was agreed to.

### SPECIAL ORDER

S.F. No. 1407: A bill for an act relating to natural resources; making changes in certain forestry laws; amending Minnesota Statutes 1982, sections 88.065; 90.031, subdivision 3; 90.041, subdivision 2; 90.251, subdivision 1; and 90.301, 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 47 and nays 0, as follows:

Those who voted in the affirmative were:

Adkins	Diessner	Kroening	Peterson, D.L.	Spear
Anderson	Dieterich	Kronebusch	Peterson, R.W.	Stumpf
Belanger	Frank	Lantry	Petty	Ulland
Benson	Frederickson	Lessard	Pogemiller	Vega
Bertram	Hughes	Luther	Purfeerst	Waldorf
Chmielewski	Isackson	McQuaid	Ramstad	Wegscheid
Dahl	Johnson, D.E.	Mehrkens	Reichgott	Willet
Davis	Jude	Merriam	Schmitz	
DeCramer	Kamrath	Moe, R. D.	Sieloff	
Dicklich	Knutson	Olson	Solon	

So the bill passed and its title was agreed to.

**SPECIAL ORDER**

H.F. No. 1620: A bill for an act relating to rehabilitation services for blind and visually handicapped persons; authorizing adoption of rules; amending Minnesota Statutes 1982, section 248.07, 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 52 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

**SPECIAL ORDER**

H.F. No. 1771: A bill for an act relating to financial institutions; credit unions; providing for reciprocity between Minnesota credit unions and credit unions from states that have enacted similar laws; amending Minnesota Statutes 1982, section 52.03.

**SUSPENSION OF RULES**

Mr. Petty moved that an urgency be declared within the meaning of Article IV, Section 19, of the Constitution of Minnesota, with respect to H.F. No. 1771 and that the rules of the Senate be so far suspended as to give H.F. No. 1771, now on Special Orders, its third reading and place it on its final passage. The motion prevailed.

Mr. Petty moved that the amendment made to H.F. No. 1771 by the Committee on Rules and Administration in the report adopted April 18, 1984, pursuant to Rule 49, be stricken. The motion prevailed. So the amendment was stricken.

H.F. No. 1771 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 0, as follows:

Those who voted in the affirmative were:

Adkins	Diessner	Kronebusch	Pehler	Spear
Anderson	Dieterich	Laidig	Peterson, D.L.	Storm
Belanger	Frank	Langseth	Peterson, R.W.	Stumpf
Benson	Frederickson	Lantry	Petty	Taylor
Berg	Hughes	Lessard	Purfeerst	Ulland
Bertram	Isackson	Luther	Ramstad	Waldorf
Brataas	Jude	McQuaid	Reichgott	Wegscheid
Dahl	Kamrath	Merriam	Renneke	Willet
Davis	Knaak	Moe, R. D.	Schmitz	
DeCramer	Knutson	Olson	Sieloff	

So the bill passed and its title was agreed to.

### SPECIAL ORDER

H.F. No. 1920: A bill for an act relating to public welfare; establishing payments for respite care of children who are mentally retarded, have epilepsy, or are emotionally handicapped; establishing a statewide fee schedule for parental cost of care; amending Minnesota Statutes 1982, sections 246.511; 252.27, subdivisions 1 and 2; and Minnesota Statutes 1983 Supplement, section 256B.14, subdivision 2.

### SUSPENSION OF RULES

Mr. Petty moved that an urgency be declared within the meaning of Article IV, Section 19, of the Constitution of Minnesota, with respect to H.F. No. 1920 and that the rules of the Senate be so far suspended as to give H.F. No. 1920, now on Special Orders, its third reading and place it on its final passage. The motion prevailed.

H.F. No. 1920 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:

Anderson	Dicklich	Kronebusch	Peterson, D.L.	Sieloff
Belanger	Diessner	Langseth	Peterson, R.W.	Spear
Benson	Dieterich	Lantry	Petty	Storm
Berg	Frank	Lessard	Pogemiller	Stumpf
Berglin	Hughes	McQuaid	Purfeerst	Taylor
Bernhagen	Isackson	Merriam	Ramstad	Ulland
Bertram	Jude	Olson	Reichgott	Waldorf
Brataas	Kamrath	Pehler	Renneke	Wegscheid
Chmielewski	Knaak	Peterson, D.C.	Schmitz	

So the bill passed and its title was agreed to.

### MOTIONS AND RESOLUTIONS - CONTINUED

Mr. Bertram moved that S.F. No. 1398 be taken from the table. The motion prevailed.

S.F. No. 1398: A bill for an act relating to arrests; providing for the arrest of a person charged with a misdemeanor on Sundays or between 10:00 p.m. and 8:00 a.m. on any other day if the person is found on a public highway or street, or in a public place; amending Minnesota Statutes 1983 Supplement, section 629.31.

Mr. Bertram moved that S.F. No. 1398 be laid on the table. The motion prevailed.

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 that the House has acceded to the request of



the Senate for the appointment of a Conference Committee, consisting of three members of the House, on the amendments adopted by the House to the following Senate file.

S.F. No. 1258: A bill for an act relating to the environment; requiring an agreement between the state and federal government prior to test drilling of geologic structures for disposal of high level radioactive waste and notification of results; regulating transportation of high level radioactive waste in the state; providing penalties; regulating nuclear fission electric generating plants in Minnesota; amending Minnesota Statutes 1982, section 116C.71, by adding subdivisions; and 116C.74; proposing new law coded in Minnesota Statutes, chapters 116C and 216B.

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

Clark, K.; Krueger and Redalen.

Senate File No. 1258 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned April 18, 1984

Mr. President:

I have the honor to announce that the House refuses to concur in the Senate amendments to House File No. 1420:

H.F. No. 1420: A bill for an act relating to public employment; regulating grievances of disciplinary actions; amending Minnesota Statutes 1983 Supplement, section 179.70, subdivision 1.

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

Riveness, Simoneau, Jennings, Norton and Begich have been appointed as such committee on the part of the House.

House File No. 1420 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 18, 1984

Mr. Moe, R.D., for Mr. Kroening moved that the Senate accede to the request of the House for a Conference Committee on H.F. No. 1420, 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.

### SPECIAL ORDER

H.F. No. 2188: A bill for an act relating to Indians; providing for partial settlement of Indian land claims on the White Earth Reservation; requiring a report to the legislature; appropriating money.

### SUSPENSION OF RULES

Mr. Moe, R.D. moved that an urgency be declared within the meaning of

Article IV, Section 19, of the Constitution of Minnesota, with respect to H.F. No. 2188 and that the rules of the Senate be so far suspended as to give H.F. No. 2188, now on Special Orders, its third reading and place it on its final passage. The motion prevailed.

Ms. Berglin moved to amend H.F. No. 2188, as amended pursuant to Rule 49, adopted by the Senate April 18, 1984, as follows:

(The text of the amended House File is identical to S.F. No. 2067.)

Delete everything after the enacting clause and insert:

“Section 1. [RECOGNITION.]

*The state of Minnesota hereby recognizes that, as a result of fraud, theft, collusion and conspiracy perpetrated by the United States, the state of Minnesota, their agents and others, land rightfully belonging to Anishinabe heirs and allottees as recognized in the 1867 Treaty of the Mississippi has been illegally taken from its lawful owners.*

*It is further recognized that as a direct result of the above actions of the United States, the state of Minnesota, their agents and others, great harm has been and continues to be done to past and present Anishinabe heirs and allottees, as well as to non-Indian landholders whose ownership has been brought into question.*

*It is further recognized that the Anishinabe people have legitimate claims against the United States, the state of Minnesota, their agents and others based upon the aforementioned actions, and that prompt resolution of these claims is in the interest of all concerned parties.*

*It is further recognized that monetary compensation for the loss of land and resources is an incomplete remedy for said loss, in light of the centrality of land to the cultural, spiritual, and economic life of the Anishinabe people.*

Sec. 2. [MORATORIUM.]

*The state of Minnesota declares an immediate moratorium on the sale, transfer or other disposition of any and all lands, or resources therein or thereupon, subject to claims by Anishinabe people on the basis of the aforementioned acts of fraud, theft, collusion and conspiracy, said moratorium to continue in effect until final resolution of the claims aforesaid.*

*No state or local official shall accept for recording or titling any land or resource transaction in violation of this act.*

*This section shall apply to all lands within the exterior boundaries of the 1867 Treaty established White Earth Reservation, whether publicly or privately held.*

Sec. 3. [RESOLUTION PROCESS.]

*The state of Minnesota urges the federal government to aggressively pursue its investigation into the fraud, theft, collusion and conspiracy aforesaid that is authorized under United States Code, title 28, section 2415, and to identify all lands subject to claim by Anishinabe people.*

*The state of Minnesota declares that no legislation shall be considered on the state or federal level that would result in any interference with or preven-*

tion of thorough identification of lands subject to said claims under United States Code, title 28, section 2415 or the resolution of said claims through appropriate judicial process initiated by Anishinabe claimants.

*In the event that the federal government terminates the investigation and identification process under United States Code, title 28, section 2415, prior to the resolution of all outstanding Anishinabe land claims under that section, the state of Minnesota shall continue said investigation and identification process with the assistance and participation of the heirs and allottees of said lands or their appointed representatives.*

*The state of Minnesota shall immediately restore to the rightful Anishinabe owners any and all lands identified by the federal government under United States Code, title 28, section 2415 or any court of competent jurisdiction, as having been unlawfully or wrongfully taken from said owners, and shall continue to restore said lands until all claims aforesaid have been resolved.*

*No laws shall be passed that inhibit or prevent appropriate action for damages by non-Indian landholders against the state of Minnesota, or other parties alleged to be responsible for the fraudulent or wrongful taking of Anishinabe land that has resulted in wrongful title being recorded in the name of said non-Indian landholders.*

#### Sec. 4. [EFFECTIVE DATE.]

*This act is effective the day after final enactment."*

Delete the title and insert:

*"A bill for an act relating to the Anishinabe people, providing for a fair and just resolution of land and resource claims related to the 1867 Treaty of the Mississippi."*

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

H.F. No. 2188 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 7, as follows:

Those who voted in the affirmative were:

Adkins	DeCramer	Kamrath	Moe, D. M.	Schmitz
Anderson	Dicklich	Knaak	Moe, R. D.	Sieloff
Belanger	Diessner	Knutson	Olson	Solon
Benson	Frank	Kronebusch	Pehler	Storm
Berg	Frederick	Langseth	Peterson, C.C.	Stumpf
Bernhagen	Hughes	Lantry	Peterson, R.W.	Taylor
Bertram	Isackson	Lessard	Petty	Ulland
Brataas	Johnson, D.E.	McQuaid	Ramstad	Vega
Chmielewski	Johnson, D.J.	Mehrkins	Reichgott	Wegscheid
Davis	Jude	Merriam	Renneke	

Those who voted in the negative were:

Berglin	Novak	Pogemiller	Spear	Waldorf
Dieterich	Peterson, D.C.			

So the bill passed and its title was agreed to.

#### SPECIAL ORDER

H.F. No. 1775: A bill for an act relating to energy and economic develop-

ment; energy and economic development authority; adding definitions; clarifying duties and powers of the energy and economic development authority; correcting statutory references; amending Minnesota Statutes 1982, sections 116J.88, as amended; 116J.89, subdivision 4; 116J.90, by adding a subdivision; 116J.91, subdivisions 15, 17, 18, and by adding a subdivision; 474.01, subdivisions 7 and 7a; Minnesota Statutes 1983 Supplement, sections 116J.89, subdivisions 1, 1a, 1b, 1c, 2, 6, and 8; 116J.90, subdivisions 1, 2, 3, 5, and 6; 116J.91, subdivisions 1, 4, 11, 12, 16, 19, and 20; 116J.923, subdivision 7; 116J.924, subdivision 3; 116J.925, subdivisions 1 and 3; 275.125, subdivision 12a; Laws 1983, chapter 323, section 5, subdivision 2; proposing new law coded as Minnesota Statutes, chapter 116M; repealing Minnesota Statutes 1983 Supplement, sections 116J.922; 116J.923, subdivisions 2 and 12; and 116J.924, subdivision 1.

### SUSPENSION OF RULES

Ms. Reichgott moved that an urgency be declared within the meaning of Article IV, Section 19, of the Constitution of Minnesota, with respect to H.F. No. 1775 and that the rules of the Senate be so far suspended as to give H.F. No. 1775, now on Special Orders, its third reading and place it on its final passage. The motion prevailed.

Ms. Reichgott moved to amend H.F. No. 1775, as amended pursuant to Rule 49, adopted by the Senate April 18, 1984, as follows:

(The text of the amended House File is identical to S.F. No. 1960.)

Page 6, after line 2, insert:

*"Subd. 17. [RESOURCE RECOVERY.] 'Resource recovery' means the cost effective collection, extraction, or reuse of resources from materials, components, or processes which would normally represent wasted resources or energy, such collection, extraction or reuse to result in a lesser energy intensity than would be required to produce the same product from any non-waste materials."*

Renumber the subdivisions in sequence

Page 6, line 12, after the comma, delete "or"

Page 6, line 16, after "business" insert ", (5) manufacture of products by means of resource recovery for sale in the ordinary course of business"

Page 17, lines 18 to 24, delete the new language and insert "The authority to adopt temporary rules expires June 30, 1985."

Page 21, line 12, after "authority" insert "including rentals, royalties, dividends, or other proceeds in connection with technology-related products, energy conservation products, or other equipment"

Page 21, line 23, delete "compensation" and insert "proceeds"

Page 22, line 20, after the period, insert "In the event the authority shall determine that the energy loan insurance fund is or will be depleted in connection with the use of the fund as authorized by the act which has been approved or given preliminary approval by the authority, then the authority may by resolution transfer money from the energy development fund created

*pursuant to section 116J.925."*

Page 24, line 16, after the period, insert *"In the event the authority shall determine that the energy development fund is or will be depleted in connection with the use of the fund as authorized by the act which has been approved or given preliminary approval by the authority, then the authority may by resolution transfer money from the energy loan insurance fund created pursuant to section 116J.924."*

The motion prevailed. So the amendment was adopted.

H.F. No. 1775 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 37 and nays 24, as follows:

Those who voted in the affirmative were:

Adkins	Diessner	Lantry	Pehler	Spear
Berglin	Dieterich	Lessard	Peterson, C.C.	Stumpf
Bertram	Frederickson	Luther	Peterson, D.L.	Vega
Chmielewski	Freeman	Merriam	Peterson, R.W.	Wegscheid
Dahl	Hughes	Moe, D. M.	Petty	Willet
Davis	Jude	Moe, R. D.	Pogemiller	
DeCramer	Kroening	Nelson	Reichgott	
Dicklich	Langseth	Novak	Schmitz	

Those who voted in the negative were:

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

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

### SPECIAL ORDER

H.F. No. 1753: A bill for an act relating to the city of St. Cloud; giving the city the powers of a port authority.

### SUSPENSION OF RULES

Mr. Pehler moved that an urgency be declared within the meaning of Article IV, Section 19, of the Constitution of Minnesota, with respect to H.F. No. 1753 and that the rules of the Senate be so far suspended as to give H.F. No. 1753, now on Special Orders, its third reading and place it on its final passage. The motion prevailed.

H.F. No. 1753 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 3, as follows:

Those who voted in the affirmative were:

Adkins	DeCramer	Kronebusch	Olson	Sieloff
Anderson	Diessner	Langseth	Pehler	Spear
Belanger	Frank	Lantry	Peterson, D.L.	Storm
Benson	Frederick	Luther	Petty	Stumpf
Berglin	Freeman	McQuaid	Pogemiller	Taylor
Bernhagen	Hughes	Mehrkens	Ramstad	Vega
Bertram	Isackson	Moe, D. M.	Reichgott	Waldorf
Chmielewski	Jude	Moe, R. D.	Renneke	Wegscheid
Davis	Kamrath	Nelson	Schmitz	Willet

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

So the bill passed and its title was agreed to.

### MOTIONS AND RESOLUTIONS - CONTINUED

Mr. Bertram moved that S.F. No. 1398 be taken from the table. The motion prevailed.

S.F. No. 1398: A bill for an act relating to arrests; providing for the arrest of a person charged with a misdemeanor on Sundays or between 10:00 p.m. and 8:00 a.m. on any other day if the person is found on a public highway or street, or in a public place; amending Minnesota Statutes 1983 Supplement, section 629.31.

### CONCURRENCE AND REPASSAGE

Mr. Bertram moved that the Senate concur in the amendments by the House to S.F. No. 1398 and that the bill be placed on its repassage as amended. The motion prevailed.

S.F. No. 1398: A bill for an act relating to criminal justice; permitting misdemeanor arrests to be made at night in public places; altering release and detention in procedures in certain cases; amending Minnesota Statutes 1982, section 629.72, subdivisions 1 and 3; and Minnesota Statutes 1983 Supplement, section 629.31.

Was read the third time, as amended by the House, and placed on its repassage.

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

The roll was called, and there were yeas 49 and nays 1, as follows:

Those who voted in the affirmative were:

Adkins	Dicklich	Knaak	Moe, R. D.	Schmitz
Belanger	Diessner	Knutson	Nelson	Sieloff
Benson	Dieterich	Kronebusch	Olson	Spear
Berglin	Frank	Lantry	Pehler	Stumpf
Bernhagen	Frederick	Lessard	Peterson, D.L.	Taylor
Bertram	Freeman	Luther	Peterson, R.W.	Ulland
Brataas	Hughes	McQuaid	Petty	Waldorf
Chmielewski	Isackson	Mehrkens	Pogemiller	Wegscheid
Davis	Jude	Merriam	Ramstad	Willet
DeCramer	Kamrath	Moe, D. M.	Renneke	

Mr. Anderson voted in the negative.

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

**SPECIAL ORDER**

S.F. No. 1980: A bill for an act relating to corrections; providing for costs of transporting convicted persons and children adjudicated delinquent to correctional facilities; appropriating money; amending Minnesota Statutes 1983 Supplement, section 243.17, 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 50 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

**SPECIAL ORDER**

S.F. No. 1243: A resolution memorializing the President and Congress to establish a National Academy of Peace and Conflict Resolution.

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

So the resolution passed and its title was agreed to:

**SPECIAL ORDER**

S.F. No. 1884: A bill for an act relating to occupations and professions; establishing a task force to study the problem of sexual exploitation by counselors and therapists.

Ms. Peterson, D.C. moved to amend S.F. No. 1884 as follows:

Page 1, line 14, delete "licensing boards" and insert " board of medical

*examiners, board of psychology, and board of nursing''*

Page 2, line 5, before "*The*" insert "*Based on its findings,*"

Page 2, line 9, delete "*improving*" and insert "*the need to improve*"

Page 2, line 15, delete "*creation of*" and insert "*need to create*"

Page 2, line 17, after "(5)" insert "*the need for*"

Page 2, line 19, delete "*requiring*" and insert "*the need to require*"

Page 2, line 24, after "(8)" insert "*the need for*"

The motion prevailed. So the amendment was adopted.

S.F. No. 1884 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 40 and nays 9, as follows:

Those who voted in the affirmative were:

Adkins	Diessner	Kronebusch	Peterson, D.C.	Schmitz
Belanger	Dieterich	Langseth	Peterson, D.L.	Sieloff
Bertram	Frank	Lessard	Peterson, R.W.	Spear
Brataas	Frederick	Luther	Petty	Stumpf
Chmielewski	Freeman	McQuaid	Pogemiller	Taylor
Davis	Johnson, D.E.	Merriam	Ramstad	Ulland
DeCramer	Jude	Nelson	Reichgott	Waldorf
Dicklich	Knaak	Olson	Renneke	Wegscheid

Those who voted in the negative were:

Anderson	Bernhagen	Kamrath	Mehrrens	Vega
Berg	Isackson	Knutson	Storn	

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

## MOTIONS AND RESOLUTIONS - CONTINUED

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

## REPORTS OF COMMITTEES

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

H.F. No. 1386 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.
1386	1462				

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H.F. No. 1386 be amended as follows:

Delete all the language after the enacting clause of H.F. No. 1386 and



insert the language after the enacting clause of S.F. No. 1462, the first engrossment; further, delete the title of H.F. No. 1386 and insert the title of S.F. No. 1462, the first engrossment.

And when so amended H.F. No. 1386 will be identical to S.F. No. 1462, and further recommends that H.F. No. 1386 be given its second reading and substituted for S.F. No. 1462, 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.

Mr. Luther moved the adoption of the foregoing committee report. The motion prevailed. Amendments adopted. Report adopted.

## MOTIONS AND RESOLUTIONS - CONTINUED

### SUSPENSION OF RULES

Mr. Petty moved that an urgency be declared within the meaning of Article IV, Section 19, of the Constitution of Minnesota, with respect to H.F. No. 1386 and that the rules of the Senate be so far suspended as to give H.F. No. 1386 its second and third reading and place it on its final passage. The motion prevailed.

H.F. No. 1386: A bill for an act relating to children; authorizing intervention by the juvenile court to protect children from abuse committed by family or household members; providing for prosecution by the county attorney of certain gross misdemeanors; amending Minnesota Statutes 1982, sections 260.015, by adding subdivisions; 260.111, by adding a subdivision; 260.191, by adding a subdivision; and Minnesota Statutes 1983 Supplement, section 388.051, subdivision 2; proposing new law coded in Minnesota Statutes, chapter 260.

H.F. No. 1386 was read the second time.

Mr. Petty moved to amend H.F. No. 1386, as amended pursuant to Rule 49, adopted by the Senate April 18, 1984, as follows:

(The text of the amended House File is identical to S.F. No. 1462.)

Page 4, line 31, after "support" insert "or maintenance"

Page 4, line 32, after "children" insert "or a spouse"

Page 5, delete section 6 and insert:

"Sec. 6. Minnesota Statutes 1982, section 260.191, is amended by adding a subdivision to read:

*Subd. 1b. [SUPPORT ORDERS.] If the court issues an order for protection pursuant to section 5 excluding an abusing party from the dwelling who is the parent of a minor family or household member, it shall transfer the case file to the court which has jurisdiction over proceedings under chapter 518 for the purpose of establishing support or maintenance for minor children or a spouse, as provided in chapter 518, during the effective period of the order for protection. The court to which the case file is transferred shall schedule and hold a hearing on the establishment of support or maintenance within 30 days of the issuance of the order for protection. After an order for support or*

*maintenance has been granted or denied, the case file shall be returned to the juvenile court, and the order for support or maintenance, if any, shall be incorporated into the order for protection."*

Amend the title as follows:

Page 1, line 8, delete the second "a" and insert "subdivisions"

Page 1, line 9, delete "subdivision"

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

Mr. Sieloff moved to amend H.F. No. 1386, as amended pursuant to Rule 49, adopted by the Senate April 18, 1984, as follows:

(The text of the amended House File is identical to S.F. No. 1462.)

Page 2, line 26, before "TEMPORARY" insert "EX PARTE"

Page 2, lines 26 and 27, delete "*from the notarized petition or*"

Page 2, line 30, delete "*temporary*"

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

Page 3, line 12, delete "*temporary*"

Page 3, line 13, delete "*fixed*"

Page 3, lines 14 and 18, delete "*temporary*" and insert "*ex parte*"

Page 3, line 19, delete "*fixed*"

Page 3, line 25, delete everything after the period

Page 3, delete lines 26 and 27, and insert:

*"Subd. 4. [TRANSFER TO FAMILY COURT OR DIVISION.] After issuance of an ex parte order, the court must transfer any matter arising under this section to the court having jurisdiction or responsibility for cases arising under chapter 518, 518A, 518B, or 518C, for further proceedings."*

Renumber the subdivisions in sequence

Page 5, line 2, delete "*fixed*"

Page 5, delete section 6 and insert

"Sec. 6. Minnesota Statutes 1982, section 260.191, is amended by adding a subdivision to read:

*Subd. 1b. [TRANSFER TO FAMILY COURT OR DIVISION.] Prior to issuance of an order, the court shall, upon motion of either party or upon its own motion, transfer any matter arising under section 5 to the court having jurisdiction or responsibility for cases arising under chapter 518, 518A, 518B, or 518C and said matters may be heard by referees as provided under those chapters."*

Amend the title as follows:

Page 1, line 8, delete the second "a" and insert "subdivisions"

Page 1, line 9, delete "subdivision"

Mr. Petty requested division of the amendment as follows:

First portion:

Page 2, line 26, before "TEMPORARY" insert "EX PARTE"

Page 2, lines 26 and 27, delete "*from the notarized petition or*"

Page 2, line 30, delete "*temporary*"

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

Page 3, line 12, delete "*temporary*"

Page 3, line 13, delete "*fixed*"

Page 3, lines 14 and 18, delete "*temporary*" and insert "*ex parte*"

Page 3, line 19, delete "*fixed*"

Page 3, line 25, delete everything after the period

Page 3, delete lines 26 and 27

Page 5, line 2, delete "*fixed*"

Second portion:

Page 5, delete section 6

Renumber the sections in sequence

Third portion:

Page 3, after line 27, insert:

*"Subd. 4. [TRANSFER TO FAMILY COURT OR DIVISION.] After issuance of an ex parte order, the court must transfer any matter arising under this section to the court having jurisdiction or responsibility for cases arising under chapter 518, 518A, 518B, or 518C, for further proceedings."*

Renumber the subdivisions in sequence

Page 5, after line 12, insert:

*"Sec. 6. Minnesota Statutes 1982, section 260.191, is amended by adding a subdivision to read:*

*Subd. 1b. [TRANSFER TO FAMILY COURT OR DIVISION.] Prior to issuance of an order, the court shall, upon motion of either party or upon its own motion, transfer any matter arising under section 5 to the court having jurisdiction or responsibility for cases arising under chapter 518, 518A, 518B, or 518C and said matters may be heard by referees as provided under those chapters."*

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 8, delete the second "a" and insert "subdivisions"

Page 1, line 9, delete "subdivision"

The question was taken on the adoption of the first portion of the amendment. The motion prevailed. So the first portion of the amendment was adopted.

The question was taken on the adoption of the second portion of the

amendment. The motion prevailed. So the second portion of the amendment was adopted.

The question was taken on the adoption of the third portion of the amendment.

The roll was called, and there were yeas 31 and nays 23, as follows:

Those who voted in the affirmative were:

Anderson	Diessner	Knaak	Olson	Storm
Belanger	Dieterich	Knutson	Peterson, D.L.	Ulland
Benson	Frederick	Kronebusch	Peterson, R.W.	Waldorf
Berg	Isackson	Laidig	Ramstad	
Bernhagen	Johnson, D.E.	Lessard	Renneke	
Brataas	Jude	McQuaid	Schmitz	
Chmielewski	Kamrath	Mehrkens	Sieloff	

Those who voted in the negative were:

Adkins	DeCramer	Lantry	Pehler	Stumpf
Berglin	Frank	Luther	Peterson, D.C.	Vega
Bertram	Freeman	Merriam	Petty	Wegscheid
Dahl	Hughes	Moe, R. D.	Pogemiller	
Davis	Langseth	Nelson	Spear	

The motion prevailed. So the third portion of the amendment was adopted.

H.F. No. 1386 was then progressed.

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

## REPORTS OF COMMITTEES

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

H.F. No. 1524 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.
1524	1461				

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H.F. No. 1524 be amended as follows:

Delete all the language after the enacting clause of H.F. No. 1524 and insert the language after the enacting clause of S.F. No. 1461, the second engrossment; further, delete the title of H.F. No. 1524 and insert the title of S.F. No. 1461, the second engrossment.

And when so amended H.F. No. 1524 will be identical to S.F. No. 1461, and further recommends that H.F. No. 1524 be given its second reading and substituted for S.F. No. 1461, and that the Senate File be indefinitely postponed.

Pursuant to Rule 49, this report was prepared and submitted by the Secre-

tary of the Senate on behalf of the Committee on Rules and Administration.

Mr. Moe, R. D. moved the adoption of the foregoing committee report. The motion prevailed. Amendments adopted. Report adopted.

## SECOND READING OF HOUSE BILLS

H.F. No. 1524 was read the second time.

## SUSPENSION OF RULES

Mr. Petty moved that an urgency be declared within the meaning of Article IV, Section 19, of the Constitution of Minnesota, with respect to H.F. No. 1524 and that the rules of the Senate be so far suspended as to give H.F. No. 1524, now on Special Orders, its third reading and place it on its final passage. The motion prevailed.

H.F. No. 1524: A bill for an act relating to claims against the state; providing 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.

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	Olson	Sieloff
Anderson	Diessner	Kronebusch	Pehler	Spear
Belanger	Frank	Laidig	Peterson, D.C.	Storm
Berg	Frederick	Langseth	Peterson, D.L.	Stumpf
Bernhagen	Hughes	Lessard	Peterson, R.W.	Taylor
Bertram	Isackson	Luther	Petty	Ulland
Brataas	Johnson, D.E.	McQuaid	Pogemiller	Vega
Chmielewski	Jude	Mehrkins	Ramstad	Waldorf
Dahl	Kamrath	Moe, R. D.	Renneke	Wegscheid
Davis	Knaak	Nelson	Schmitz	Willet

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 Reports of Committees.

## REPORTS OF COMMITTEES

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

H.F. No. 2182 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.
2182	1962				

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H.F. No. 2182 be amended as follows:

Delete all the language after the enacting clause of H.F. No. 2182 and insert the language after the enacting clause of S.F. No. 1962, the first engrossment; further, delete the title of H.F. No. 2182 and insert the title of S.F. No. 1962, the first engrossment.

And when so amended H.F. No. 2182 will be identical to S.F. No. 1962, and further recommends that H.F. No. 2182 be given its second reading and substituted for S.F. No. 1962, 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.

Mr. Moe, R.D. moved the adoption of the foregoing committee report. The motion prevailed. Amendments adopted. Report adopted.

## MOTIONS AND RESOLUTIONS - CONTINUED

### SUSPENSION OF RULES

Mr. Bertram moved that an urgency be declared within the meaning of Article IV, Section 19, of the Constitution of Minnesota, with respect to H.F. No. 2182 and that the rules of the Senate be so far suspended as to give H.F. No. 2182 its second and third reading and place it on its final passage. The motion prevailed.

H.F. No. 2182: A bill for an act relating to agriculture; changing certain duties of the commissioner; exempting the family farm security program from certain loan commitment approval requirements; amending Minnesota Statutes 1982, section 31.11; and Minnesota Statutes 1983 Supplement, section 16A.80, subdivision 2.

H.F. No. 2182 was read the second time.

Mr. Merriam moved that the amendment made to H.F. No. 2182 by the Committee on Rules and Administration in the report adopted April 18, 1984, pursuant to Rule 49, be stricken. The motion prevailed. So the amendment was stricken.

Mr. Bertram moved that H.F. No. 2182 be laid on the table. The motion prevailed.

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. 1403: A bill for an act relating to the Mississippi River head-

waters area; requiring other governmental units to follow the land use plan adopted by the board; proposing new law coded in Minnesota Statutes, chapter 114B.

Senate File No. 1403 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned April 18, 1984

### CONCURRENCE AND REPASSAGE

Mr. Lessard moved that the Senate concur in the amendments by the House to S.F. No. 1403 and that the bill be placed on its repassage as amended. The motion prevailed.

S.F. No. 1403: A bill for an act relating to the Mississippi River headwaters area; requiring other governmental units to follow the land use plan adopted by the board; amending Minnesota Statutes 1982, section 114B.03, subdivision 1; proposing new law coded in Minnesota Statutes, chapter 114B.

Was read the third time, as amended by the House, and placed on its repassage.

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

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

Those who voted in the affirmative were:

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

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

### SPECIAL ORDER

H.F. No. 1678: A bill for an act relating to insurance; clarifying annual statement filing requirements; providing for the suspension of authority of self-insurance entities or self-insurers; modifying certain existing fees and providing certain new fees; transferring certain duties of the commissioner of commerce to the commissioner of revenue; establishing certain taxation filing requirements; providing for agent license renewals; authorizing the issuance of orders to show cause relating to license revocations; clarifying continuing education reporting requirements; modifying certain insurance licensing dates; providing for the service of process on foreign companies and unauthorized insurers; removing the countersignature requirement for certain bid bonds and insurance policies; removing an exemption from regulation for certain self-insurance plan administrators and vendors of risk management

services; clarifying policy form filing requirements; providing for the use of health insurance claim forms; providing for the use of fire insurance binders; modifying the definitions of "motorcycle," "motor vehicle," "policy," and "utility vehicle" for purposes of automobile insurance regulation; increasing certain liability coverage on automobile insurance plan policies; providing for the cancellation or nonrenewal of a policy; defining "plan of reparation security"; requiring certain premium reports to be filed with the commissioner; prohibiting discrimination based on sex or marital status; modifying the expiration date of adjuster's licenses; providing for the appointment of the board of the compensation reinsurance association; making various technical changes; providing remedies; prescribing penalties; appropriating money; amending Minnesota Statutes 1982, sections 60A.13, subdivision 6, and by adding a subdivision; 60A.15, subdivisions 1, 2, 2a, 6, 8, 9, 10, and by adding subdivisions; 60A.17, subdivisions 3, 5b, and by adding a subdivision; 60A.18, subdivision 3; 60A.19, subdivision 4; 60A.199; 60A.21, subdivision 2; 60A.23, subdivision 5; 61A.03, by adding a subdivision; 62A.025; 65A.03; 65B.001, subdivision 4; 65B.06, subdivision 2; 65B.14, subdivisions 2 and 3; 65B.16; 65B.19; 65B.43, subdivisions 2, 13, and by adding a subdivision; 69.021, subdivisions 1, 2, 3, and by adding a subdivision; 69.58; 69.59; 72A.061, subdivision 2; 72A.07; 72A.20, by adding a subdivision; 72A.23, subdivision 1; 72B.04, subdivisions 7 and 10; 79.10; 176.181, subdivision 2, and by adding a subdivision; 271.01, subdivision 5; 299F.21; 299F.22; 299F.23; 299F.24; 299F.26, subdivisions 1 and 2; 424.165, subdivision 1; and 574.32; Minnesota Statutes 1983 Supplement, sections 60A.05; 60A.14, subdivision 1; 60A.15, subdivisions 11 and 12; 60A.17, subdivisions 1a, 1d, and 6c; 60A.1701, subdivisions 5, 10, and 11; 60A.198, subdivision 3; 65A.01, subdivision 3; 65B.17, subdivision 1; 69.011, subdivision 1; and 79.37; proposing new law coded in Minnesota Statutes, chapters 60A and 61A; repealing Minnesota Statutes 1982, sections 65B.15, subdivision 3; 65B.48, subdivision 8; and 69.031, subdivision 6.

### SUSPENSION OF RULES

Mr. Luther moved that an urgency be declared within the meaning of Article IV, Section 19, of the Constitution of Minnesota, with respect to H.F. No. 1678 and that the rules of the Senate be so far suspended as to give H.F. No. 1678, now on Special Orders, its third reading and place it on its final passage. The motion prevailed.

Mr. Luther moved that the amendment made to H.F. No. 1678 by the Committee on Rules and Administration in the report adopted April 18, 1984, pursuant to Rule 49, be stricken. The motion prevailed. So the amendment was stricken.

Mr. Luther then moved to amend H.F. No. 1678 as follows:

Page 53, after line 24, insert:

"Sec. 55. Minnesota Statutes 1982, section 65B.55, subdivision 1, is amended to read:

Subdivision 1. A plan of reparation security may prescribe a period of not less than six months after the date of accident within which an insured or any other person entitled to claim basic economic loss benefits, or anyone acting



on their behalf, must notify the reparation obligor or its agent, of the accident and the possibility of a claim for economic loss benefits ~~in order to be eligible for such benefits. Such.~~ Failure to provide notice will not render a person ineligible to receive benefits unless actual prejudice is shown by the reparation obligor, and then only to the extent of the prejudice. The notice may be given in any reasonable fashion."

Renumber the sections in sequence and correct the internal references

Amend the title as follows:

Page 1, line 30, after the semicolon, insert "clarifying certain ambiguous provisions in the No-Fault Automobile Insurance Act;"

Page 2, line 4, after the semicolon, insert "65B.55, subdivision 1;"

The motion prevailed. So the amendment was adopted.

Mr. Luther then moved to amend H.F. No. 1678 as follows:

Page 2, after line 24, insert:

"Section 1. Minnesota Statutes 1982, section 47.27, subdivision 4, is amended to read:

Subd. 4. "Federal ~~savings and loan~~ association" means ~~an~~ a savings association, savings and loan association or savings bank organized under that certain act of Congress known as The Home Owners Loan Act of 1933, and acts amendatory thereof.

Sec. 2. Minnesota Statutes 1982, section 47.29, is amended to read:

**47.29 [SAVINGS BANKS MAY CONVERT INTO FEDERAL SAVINGS AND LOAN ASSOCIATIONS.]**

Subdivision 1. Any savings bank organized and existing under and by virtue of the laws of this state, is hereby authorized and empowered, by a two-thirds vote of the entire board of trustees, at any regular or special meeting of said board duly called for that purpose to convert itself into federal ~~savings and loan~~ association whenever said conversion is authorized by any act of the Congress of the United States; Provided, that before any such conversion shall become final and complete, (a) the secretary of the savings bank shall cause 30 days written notice of such intended conversion (which notice, before mailing, shall be submitted to and approved by the commissioner of ~~banks commerce~~) to be mailed prepaid to each depositor, at their last known address, according to the records of the bank, and after such notice each depositor may, prior to the time the conversion becomes final and complete, on demand and without prior notice, withdraw the full amount of his deposit or such part thereof as he may request, and upon such withdrawal he shall receive interest to the date of withdrawal at the same rate last paid or credited by the bank, notwithstanding the provisions of any law, bylaws, rule or regulation to the contrary, and (b) that such conversion be approved in writing by the commissioner of ~~banks~~ commerce.

Subd. 2. At any time after the expiration of the 30 day period specified in subdivision 1, clause (a), (which fact shall be evidenced by the secretary of the savings bank filing an affidavit to that effect with the commissioner of ~~banks~~ commerce and the secretary of state of this state), upon filing a copy of

the federal charter, certified by the issuing federal agency with the secretary of state of this state, the secretary of state shall record said charter and certify that fact thereon, whereupon the conversion shall be final and complete and the savings bank shall at that time cease to be a savings bank supervised by this state, and shall thereafter be a federal ~~savings and loan~~ association.

Sec. 3. Minnesota Statutes 1982, section 47.31, is amended to read:

**47.31 [FEDERAL SAVINGS AND LOAN ASSOCIATION MAY CONVERT INTO SAVINGS BANK.]**

When authorized by act of the Congress of the United States, any federal ~~savings and loan~~ association with its principal place of business in this state may convert itself into a savings bank pursuant to the laws of this state: Provided, (a) that the association complies with all requirements imposed for such conversion under the laws of the United States; (b) that the association complies with the requirements and procedure set forth in section 47.30, except that the procedure for obtaining original articles of incorporation of a savings bank shall be followed in lieu of the procedure for amending articles of incorporation and the 30 day period specified in section 47.30, subdivisions 4 and 5, shall begin on the day the organization meeting is held pursuant to section 300.025; and (c) that the commissioner of ~~banks~~ commerce approves such conversion in writing.

Sec. 4. Minnesota Statutes 1982, section 47.32, is amended to read:

**47.32 [CONVERTING INSTITUTION DEEMED CONTINUANCE; TRANSFER OF PROPERTY AND RIGHTS.]**

Upon the conversion of any savings bank into a savings, building and loan association or into a federal ~~savings and loan~~ association, and of a savings, building and loan association or federal ~~savings and loan~~ association into a savings bank, the corporate existence of the converting savings bank or association shall not terminate, and the resulting association or savings bank shall be a continuance of the converting savings bank or association; and all the property of the converting savings bank or association (including its rights) shall by operation of law vest in the resulting association or savings bank as of the time when the conversion becomes final and complete, and all of the obligations of the converting savings bank or association become those of the resulting association or savings bank. Actions and other judicial proceedings to which the converting savings bank or association is a party may be prosecuted and defended as if the conversion had not been made.

Sec. 5. Minnesota Statutes 1982, section 49.47, subdivision 4, is amended to read:

Subd. 4. [SAVINGS BANKS.] "Savings bank" means a savings bank on ~~February 5, 1982~~ as defined in section 47.01."

Page 56, after line 30, insert:

"Sec. 62. Minnesota Statutes 1982, section 65B.55, subdivision 1, is amended to read:

Subdivision 1. A plan of reparation security may prescribe a period of not less than six months after the date of accident within which an insured or any other person entitled to claim basic economic loss benefits, or anyone acting

on their behalf, must notify the reparation obligor or its agent, of the accident and the possibility of a claim for economic loss benefits ~~in order to be eligible for such benefits. Such.~~ *Failure to provide notice will not render a person ineligible to receive benefits unless actual prejudice is shown by the reparation obligor, and then only to the extent of the prejudice. The notice may be given in any reasonable fashion."*

Renumber the sections in sequence and correct the internal references

Amend the title as follows:

Page 1, line 2, delete "insurance" and insert "commerce; clarifying identity between federal savings and loan associations and savings banks"

Page 1, line 30, after the semicolon, insert "clarifying certain ambiguities in the no-fault automobile insurance act;"

Page 1, line 40, after "sections" insert "47.27, subdivision 4; 47.29; 47.31; 47.32; 47.49, subdivision 4;"

Page 2, line 4, after the semicolon, insert "65B.55, subdivision 1;"

The motion prevailed. So the amendment was adopted.

H.F. No. 1678 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 50 and nays 0, as follows:

Those who voted in the affirmative were:

Adkins	DeCramer	Knaak	Olson	Solon
Anderson	Dicklich	Knutson	Pehler	Spear
Belanger	Diessner	Kronebusch	Peterson, D.L.	Storm
Berg	Dieterich	Lessard	Peterson, R.W.	Stumpf
Bernhagen	Frank	Luther	Petty	Taylor
Bertram	Frederick	McQuaid	Pogemiller	Ulland
Brataas	Freeman	Mehrkens	Ramstad	Vega
Chmielewski	Isackson	Merriam	Reichgott	Waldorf
Dahl	Jude	Moe, R. D.	Renneke	Wegscheid
Davis	Kamrath	Nelson	Sieloff	Willet

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

### SPECIAL ORDER

S.F. No. 1821: A bill for an act relating to powers of attorney; providing procedures for granting powers of attorney; construing various specific powers; amending Minnesota Statutes 1982, sections 508.72; 508A.72; 528.15; proposing new law coded as Minnesota Statutes, chapter 523; repealing Minnesota Statutes 1982, sections 51A.25; 507.291; 507.292; 507.293; 507.294; 507.39; 524.5-501; 524.5-502; and 528.16.

Mr. Peterson, R.W. moved to amend S.F. No. 1821 as follows:

Page 4, line 12, before "A" insert "*For purposes of this chapter,*"

Page 12, line 12, delete "*constitute*" and insert "*constitutes*"

The motion prevailed. So the amendment was adopted.

Mr. Sieloff moved to amend S.F. No. 1821 as follows:

Page 10, lines 32, 33, and 36, delete "INITIAL" and insert "MAKE A CHECK OR "X" IN"

Page 11, line 1, before the period, insert "UNLESS THE LINE IN FRONT OF THE POWER OF (O) IS CHECKED OR X-ED"

Page 11, line 2, delete "Initial" and insert "Check or "X"

Page 11, line 16, before the period, insert ";

.....(O) all of the powers listed in (A) through (N) above"

Page 11, lines 18 and 28, delete "INITIAL" and insert "MAKE A CHECK OR "X" IN"

Page 12, line 8, delete "INITIAL" and insert "CHECK OR "X""

Page 12, line 9, delete "initialed" and insert "checked or X-ed"

Page 12, line 10, before the period, insert "unless the power of (O) of the form in subdivision 1 is checked or X-ed"

Page 12, line 12, after "(M)" insert ", in addition to the withholding of the power of (O),"

The motion prevailed. So the amendment was adopted.

S.F. No. 1821 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 48 and nays 0, as follows:

Those who voted in the affirmative were:

Adkins	Diessner	Knaak	Pehler	Spear
Anderson	Dieterich	Knutson	Peterson, D.C.	Stumpf
Belanger	Frank	Kronebusch	Peterson, R.W.	Taylor
Berg	Frederick	Langseth	Petty	Ulland
Bernhagen	Frederickson	Lessard	Pogemiller	Vega
Bertram	Freeman	McQuaid	Ramstad	Waldorf
Brataas	Hughes	Merriam	Reichgott	Wegscheid
Chmielewski	Isackson	Moe, R. D.	Renneke	Willet
Dahl	Jude	Nelson	Schmitz	
Dicklich	Kamrath	Olson	Sieloff	

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

### SPECIAL ORDER

H.F. No. 1402: A bill for an act relating to claims against the state; providing for payment of various claims; appropriating money.

### SUSPENSION OF RULES

Mr. Dahl moved that an urgency be declared within the meaning of Article IV, Section 19, of the Constitution of Minnesota, with respect to H.F. No. 1402 and that the rules of the Senate be so far suspended as to give H.F. No. 1402, now on Special Orders, its third reading and place it on its final passage. The motion prevailed.

H.F. No. 1402 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 0, as follows:

Those who voted in the affirmative were:

Adkins	Dieterich	Knutson	Peterson, D.C.	Storm
Anderson	Frank	Kronebusch	Peterson, D.L.	Stumpf
Belanger	Frederick	Laidig	Peterson, R.W.	Taylor
Berg	Frederickson	Lessard	Pogemiller	Ulland
Bernhagen	Freeman	McQuaid	Ramstad	Vega
Bertram	Isackson	Mehrkens	Reichgott	Wegscheid
Dahl	Johnson, D.E.	Merriam	Renneke	Willet
Davis	Jude	Nelson	Schmitz	
Dicklich	Kamrath	Olson	Sieloff	
Diessner	Knaak	Pehler	Spear	

So the bill passed and its title was agreed to.

## MOTIONS AND RESOLUTIONS - CONTINUED

### RECONSIDERATION

Ms. Reichgott moved that the vote whereby S.F. No. 1760 was passed by the Senate on April 17, 1984, be now reconsidered. The motion prevailed.

S.F. No. 1760: A bill for an act relating to governmental operations; requesting the regents of the University of Minnesota to conduct a job evaluation study and report to the legislature.

Ms. Reichgott moved that the Senate do not concur in the amendments by the House to S.F. No. 1760, 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. 1420: Messrs. Kroening, Chmielewski, Pehler, Nelson and Frank.

S.F. No. 1760: Mses. Reichgott; Peterson, D.C. and Mrs. Brataas.

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

## MOTIONS AND RESOLUTIONS - CONTINUED

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 that the House has adopted the recommendation and report of the Conference Committee on House File No. 1405, and repassed said bill in accordance with the report of the Committee, so adopted.

House File No. 1405 is herewith transmitted to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted April 18, 1984

### CONFERENCE COMMITTEE REPORT ON H.F. NO. 1405

A bill for an act relating to state monuments; adding the "Monument to the Living" in Ramsey County to the list of state monuments; amending Minnesota Statutes 1982, section 138.585, by adding a subdivision.

April 17, 1984

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

The Honorable Jerome M. Hughes  
President of the Senate

We, the undersigned conferees for H.F. No. 1405, report that we have agreed upon the items in dispute and recommend as follows:

That the Senate recede from its amendment and that H.F. No. 1405 be further amended as follows:

Page 1, line 12, delete "*momento*" and insert "*memento*"

Page 1, line 14, delete everything before "*in*"

Page 1, line 16, delete "RELOCATION" and insert "LOCATION"

Page 1, line 17, delete everything before "*the*"

Page 1, line 18, delete everything after "*be*"

Page 1, delete line 19 and insert "*permanently located within the Capitol grounds in a place of visual prominence and honor.*"

We request adoption of this report and repassage of the bill.

House Conferees: (Signed) Kathleen Blatz, Joe Quinn, Daniel J. Knuth

Senate Conferees: (Signed) William V. Belanger, Jr., Gene Merriam, Donald M. Moe

Mr. Belanger moved that the foregoing recommendations and Conference Committee Report on H.F. No. 1405 be now adopted, and that the bill be repassed as amended by the Conference Committee. The motion prevailed. So the recommendations and Conference Committee Report were adopted.

H.F. No. 1405 was read the third time, as amended by the Conference Committee, and placed on its repassage.

The question was taken on the repassage of the bill, as amended by the Conference Committee.

The roll was called, and there were yeas 48 and nays 0, as follows:

Those who voted in the affirmative were:

Adkins	Dicklich	Knutson	Pehler	Spear
Anderson	Diessner	Kronebusch	Peterson, D.C.	Storm
Belanger	Dieterich	Laidig	Peterson, D.L.	Stumpf
Bernhagen	Frank	Luther	Peterson, R.W.	Taylor
Bertram	Frederickson	McQuaid	Petty	Ulland
Brataas	Isackson	Mehrkens	Ramstad	Waldorf
Chmielewski	Johnson, D.E.	Merriam	Reichgott	Wegscheid
Dahl	Jude	Moe, R. D.	Renneke	Willet
Davis	Kamrath	Novak	Samuelson	
DeCramer	Knaak	Olson	Sieloff	

So the bill, as amended by the Conference Committee, was repassed and its title was agreed to.

### MESSAGES FROM THE HOUSE - CONTINUED

Mr. President:

I have the honor to announce the adoption by the House of the following House Concurrent Resolution, herewith transmitted:

House Concurrent Resolution No. 11: A House concurrent resolution requiring the establishment of an affirmative action plan for the legislature; requiring employment of an affirmative action officer.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted April 17, 1984

Mr. Moe, D.M. moved that House Concurrent Resolution No. 11 be laid on the table. The motion prevailed.

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. 1931: A bill for an act relating to the city of St. Paul; permitting the city to adopt certain regulations for smoke detection devices.

Senate File No. 1931 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned April 18, 1984

### CONCURRENCE AND REPASSAGE

Mrs. Lantry moved that the Senate concur in the amendments by the House to S.F. No. 1931 and that the bill be placed on its repassage as amended. The motion prevailed.

S.F. No. 1931 was read the third time, as amended by the House, and placed on its repassage.

The question was taken on the repassage 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	Dicklich	Kamrath	Moe, R. D.	Renneke
Anderson	Diessner	Knaak	Novak	Samuelson
Belanger	Dieterich	Knutson	Olson	Schmitz
Benson	Frank	Kronebusch	Pehler	Sieloff
Berg	Frederick	Laidig	Peterson, D. C.	Spear
Bernhagen	Frederickson	Lantry	Peterson, D. L.	Storm
Bertram	Freeman	Lessard	Peterson, R. W.	Stumpf
Chmielewski	Hughes	Luther	Petty	Taylor
Dahl	Isackson	McQuaid	Pogemiller	Wegscheid
Davis	Johnson, D. E.	Mehrkens	Ramstad	Willet
DeCramer	Jude	Merriam	Reichgott	

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

### MOTIONS AND RESOLUTIONS - CONTINUED

Mr. Bertram moved that H.F. No. 2182 be taken from the table. The motion prevailed.

### SPECIAL ORDER

H.F. No. 2182: A bill for an act relating to agriculture; changing certain duties of the commissioner; exempting the family farm security program from certain loan commitment approval requirements; amending Minnesota Statutes 1982, section 31.11; and Minnesota Statutes 1983 Supplement, section 16A.80, subdivision 2.

Mr. Merriam moved to amend H.F. No. 2182 as follows:

Pages 2 and 3, delete sections 2 and 3

Pages 3 and 4, delete section 5

Pages 9 and 10, delete section 12

Renumber the sections in sequence

Amend the title accordingly

The motion prevailed. So the amendment was adopted.

Mr. Bertram moved that H.F. No. 2182 be laid on the table. The motion prevailed.

### MOTIONS AND RESOLUTIONS - CONTINUED

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 that the House has adopted the recommendation and report of the Conference Committee on House File No. 2314, and repassed said bill in accordance with the report of the Committee, so adopted.

House File No. 2314 is herewith transmitted to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted April 18, 1984



**CONFERENCE COMMITTEE REPORT ON H.F. NO. 2314**

A bill for an act relating to capital improvements; authorizing spending to acquire and to better public land and buildings and other public improvements of a capital nature with certain conditions; reducing and canceling certain appropriations; authorizing issuance of state bonds; appropriating money; amending Minnesota Statutes 1982, sections 16.72, subdivision 7; 85A.04, subdivision 3; 475A.03, subdivision 1; 475A.05, subdivision 1, and by adding a subdivision; 475A.06, subdivision 7; and Laws 1983, chapter 344, section 6, subdivision 8; repealing Laws 1981, chapter 275; and chapter 334, section 11, subdivision 4; and Laws 1982, chapter 639, section 5.

April 18, 1984

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

The Honorable Jerome M. Hughes  
President of the Senate

We, the undersigned conferees for H.F. No. 2314, report that we have agreed upon the items in dispute and recommend as follows:

That the Senate recede from its amendment and that H.F. No. 2314 be further amended as follows:

Delete everything after the enacting clause and insert:

“Section 1. [CAPITAL IMPROVEMENTS; APPROPRIATIONS.]

The sums set forth in the column designated “APPROPRIATIONS” are appropriated from the state building fund, or any other fund designated, to the state agencies indicated, to be expended to acquire and to better public land and buildings and other public improvements of a capital nature, as more specifically described in the following sections of this act.

**SUMMARY**

SUPREME COURT	\$ 400,000
ADMINISTRATION	12,959,500
CAPITOL AREA ARCHITECTURAL AND PLANNING BOARD	1,700,000
NATURAL RESOURCES	3,966,700
IRON RANGE RESOURCES AND REHABILITATION BOARD	1,120,000
ZOOLOGICAL BOARD	225,000
POLLUTION CONTROL AGENCY	12,000,000
ENERGY AND ECONOMIC DEVELOPMENT	1,400,000
MILITARY AFFAIRS	1,183,500
VETERANS AFFAIRS	103,100
TRANSPORTATION	23,207,700
MINNESOTA HISTORICAL SOCIETY	3,600,000
VOCATIONAL TECHNICAL EDUCATION	10,057,600

COMMUNITY COLLEGES	25,038,400
STATE UNIVERSITIES	19,505,000
UNIVERSITY OF MINNESOTA	57,981,000
CORRECTIONS	2,598,900
PUBLIC WELFARE	4,730,400
BOND SALE EXPENSES	153,000
INTEREST RATE REDUCTION EXPENSE	7,230,000
TOTAL	\$189,159,800
General Fund	24,437,300
Game and Fish Fund	31,400
Special Revenue Fund	100,000
Trunk Highway Fund	9,052,700
Transportation Fund	16,000,000
Building Fund	139,538,400
APPROPRIATION REDUCTIONS	(\$280,408,000)

## APPROPRIATIONS

## Sec. 2. SUPREME COURT

Judicial Building Design Competition	\$400,000
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This appropriation is to the commissioner of administration, in consultation with the supreme court and the capitol area architectural and planning board, for preliminary planning and design competition for a judicial building that will utilize the existing historical society building and the site currently occupied by the mechanic arts high school gymnasium.

\$200,000 of this appropriation is from the general fund. The design competition must include a challenge to the competitors for maximum use of the existing historical society building. The design for reuse of that building, new construction, landscaping, and improving this site must not produce a total project cost that exceeds \$36,000,000.

The plans shall not involve the demolition of the existing mechanic

arts high school main building.

### Sec. 3. ADMINISTRATION

Subdivision 1. To the commissioner of administration for the purposes more specifically described in the following subdivisions of this section

12,959,500

Subd. 2. Supplemental or prior commitments

2,133,400

The appropriations in this subdivision are from the general fund.

(a) Remodel central motor pool building for life safety

40,200

(b) Remove and replace PCB equipment statewide, phase I

1,086,100

This appropriation, combined with the balance remaining from the appropriation in Laws 1983, chapter 344, section 2, clause (a), shall be used to replace or retrofill PCB contaminated equipment in the priority order established in the remedial action plan.

(c) Remove or contain asbestos in state buildings, phase I

1,007,100

This appropriation shall be used to remove or encapsulate asbestos-containing materials which have been identified as constituting risk factor 5 in the evaluation study dated January, 1984, and its supplement, and risk factor 4 to the extent funds permit.

Subd. 3. Facility integrity and life safety

2,302,500

The appropriations in this subdivision are from the general fund, except that items (a) and (b) are from the trunk highway fund and item (h) is from the special revenue fund.

(a) Renovate mechanical and electrical systems in the transportation building and laboratory

1,500,000

None of this appropriation shall be expended on the mechanical and electrical system in the transportation building until a study of the system is

completed and the findings reported to the chairmen of the house appropriations and senate finance committees. Expenditures on the laboratory may proceed without the study.

(b) Provide fire code required venting, enclosed lobbies, and electric generator for transportation building	254,000
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(c) Renovate laboratory ventilation system in health building	141,900
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(d) Construct hazardous material storage facility and outside receiving facility at health building	110,500
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(e) General purpose remodeling contingency

This contingency totaling \$550,000 is established from unexpended balances remaining in building fund accounts as itemized in committee workpapers.

This appropriation is available for individual project expenditure after consultation with the chairmen of the house appropriations and senate finance committees.

(f) Reset west entrance to Centennial building	136,500
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(g) Install fire, smoke, and emergency warning system in Veterans Service building	59,600
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(h) Seal coat Centennial parking ramp floors	100,000
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This appropriation is from the account established in section 16.72, subdivision 7. Future sealcoating and routine maintenance projects shall be financed from the parking fees established pursuant to section 16.72.

Subd. 4. Energy conservation	1,992,600
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(a) Energy conservation projects that have an estimated payback in energy savings in five years or less	1,897,400
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Of this appropriation, \$1,775,000 is from the state building fund, \$31,400

is from the game and fish fund,  
and \$91,000 is from the trunk highway fund.

The construction paid for from this appropriation shall meet or exceed the interim and final energy conservation performance standards and guidelines for new commercial buildings promulgated by the United States secretary of energy under the Energy Conservation Standards for New Buildings Act of 1976, as amended, United States Code, title 33, section 6833.

(b) Modify and connect the Ford building heating system for district heating	95,200
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Subd. 5. Program improvement and expansion	6,531,000
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(a) Provide access for the handicapped to state buildings statewide	2,000,000
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(b) Prepare a program and feasibility study of a combined services facility	100,000
-----------------------------------------------------------------------------	---------

This study shall assess the feasibility of including the information services bureau in the new facility.

(c) Remodel third floor of Centennial building	1,500,000
------------------------------------------------	-----------

This appropriation may not be expended unless a report is submitted to the chairmen of the house appropriations and senate finance committees by October 1, 1984; a preliminary report is requested August 1, 1984.

The report shall include a plan for improvements in the handling and flow of tax documents within the department of revenue, including improved coordination and automation of the mailroom, data entry, and cashier functions. The report shall also include the proposed layout for the remodeled space.

(d) Construct Brainerd services center	2,831,000
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This appropriation shall establish a consolidated government services center at the community college site in Brainerd. The center is intended to

include at least the local activities of the state departments of agriculture, labor and industry and corrections; the pollution control agency; and the consolidated programs of the department of natural resources.

(e) Prepare plans for renovation of mechanic arts high school building

100,000

This appropriation is to plan for the renovation of the mechanic arts high school building, excluding the gymnasium, to provide state agency office space. The preliminary plans for renovation must be reviewed by the capitol area architectural and planning board pursuant to Minnesota Statutes, section 15.50, subdivision 2.

(f) Land acquisition

By January 15, 1985, the commissioner shall present to the chairmen of the house appropriations and senate finance committees a report proposing criteria by which land located in or near the Capitol complex would be assessed as favorable for acquisition. In proposing these criteria, the commissioner shall consider including such factors as effects on property taxes, proposed programmatic uses, and specific geographical boundaries.

(g) Building project balances

The commissioner is directed to report to the chairmen of the house appropriations and senate finance committees by January 15 of each fiscal year. The report shall list each building project balance which was authorized more than four years earlier, its current status, whether any activity occurred during the year, and the commissioner's recommendation and rationale for continuance. The report shall also include those balances, and associated projects, which were canceled administratively during the previous 12 month period.

Sec. 4. CAPITOL AREA  
ARCHITECTURAL AND PLANNING BOARD

To the commissioner of administration  
for the purposes specified in this  
section

1,700,000

(a) Landscape capitol mall 1,200,000

(b) Landscape John Ireland Boulevard 350,000

(c) Preliminary engineering and  
design for parking facilities in the  
Capitol complex 150,000

This appropriation is from the general  
fund. The general fund shall be reim-  
bursed from the account established in  
Minnesota Statutes, section 16.72 as  
funds become available.

The commissioner of administration  
shall study and report to the legislature  
by January 1, 1985, recommendations  
for increasing state employee participa-  
tion in the van pool program, so that the  
need for new state parking facilities in  
the capitol area may be reduced.

The board shall seek the cooperation of  
the school of architecture and landscape  
architecture at the University of  
Minnesota for (a) and (b) above.

The board shall emphasize the use of  
plant species native to Minnesota in (a)  
and (b) above.

The board shall seek private contribu-  
tions for the landscaping projects in (a)  
and (b) above. Any contributions  
received shall be used to reduce the  
cost to the state.

#### Sec. 5. NATURAL RESOURCES

Subdivision 1. To the  
commissioner of administration or  
the commissioner of natural resources  
for the purposes more specifically  
described in the following subdivisions  
of this section

3,966,700

Subd. 2. To the commissioner  
of administration for the purposes  
specified in this subdivision

680,000

(a) Complete office and storage space  
at Grand Rapids regional headquarters 139,000

(b) Construct seedling storage at  
General Andrews nursery 74,000

(c) Expand storage building at  
Baudette area headquarters 50,000

(d) Construct New Ulm Shop  
and Warehouse 317,000

(e) Plan for consolidation at  
the Bemidji regional office of all  
natural resources employees in Bemidji,  
Cass Lake, and Guthrie 100,000

Subd. 3. To the commissioner  
of natural resources to reconstruct  
the state-owned dam at New London 126,700

Subd. 4. To the commissioner of  
natural resources for the purposes  
specified in this subdivision 3,160,000

(a) Construct convention  
center and dormitory facility at  
Deep Portage Conservation Reserve 800,000

This appropriation is for payment to  
Cass County. This appropriation is  
available only upon a determination by  
the commissioner of natural resources  
that the additional financing necessary  
to complete the project has been  
committed by nonstate sources. Cass  
County shall repay \$320,000 to the  
state over a period of not more than  
ten years from the date this  
appropriation is paid to the county.  
Repayments shall be made in equal  
installments deposited in the state  
treasury and credited to the state bond  
fund before November 1 each year.

(b) Develop River Bend Nature  
Center 200,000

This appropriation is for payment to  
the city of Faribault. This  
appropriation is available only upon a  
determination by the commissioner of  
natural resources that the additional  
financing necessary to complete the  
project has been committed by nonstate  
sources. The city of Faribault shall  
repay \$80,000 to the state over a  
period of not more than ten years from  
the date this appropriation is paid to  
the city. Repayments shall be made in  
equal installments deposited in  
the state treasury and credited to the



state bond fund before November 1 each year.

(c) Develop facilities at Long Lake Conservation Center

160,000

This appropriation is for payment to Aitkin County. This appropriation is available only upon a determination by the commissioner of natural resources that the additional financing necessary to complete the project has been committed by nonstate sources. Aitkin County shall repay \$64,000 to the state over a period of not more than ten years from the date this appropriation is paid to the county. Repayments shall be made in equal installments deposited in the state treasury and credited to the state bond fund before November 1 each year.

(d) Construct Winger Dam

2,000,000

This appropriation is for payment to the Lower Red River Watershed Management Board to construct the Winger dam on the Sand Hill River, Winger township, Polk County. This appropriation is available only upon a determination by the commissioner of natural resources that the additional financing necessary to complete the project has been committed by other sources. The Lower Red River Watershed Management Board shall repay \$800,000 from its property tax receipts to the state over a period of not more than ten years from the date this appropriation is paid to the board. Repayments shall be made in equal installments deposited in the state treasury and credited to the state bond fund before November 1 each year.

Notwithstanding sections 16A.41, 16.02, or any other law to the contrary, the commissioner of natural resources may pay to the city of Lanesboro up to \$60,000 of unexpended funds that were appropriated to the commissioner under Laws 1977, chapter 421, section 12, subdivision 3, for the acquisition of trails, upon receipt of a 30 year lease from the city of Lanesboro approved by the attorney general for use of an inter-

pretive trail center on the Root River trail.

Notwithstanding any other law to the contrary the commissioner of natural resources may use for the betterment of state trails, without a public hearing, up to \$24,081 of unexpended funds that were appropriated to the commissioner under Laws 1979, chapter 301, section 3, subdivision 1, for acquisition of state trails.

#### Sec. 6. IRON RANGE RESOURCES AND REHABILITATION BOARD

1,120,000

This appropriation is for construction of an outdoor amphitheater at the Iron Range Interpretative Center at Chisholm.

The board shall repay \$448,000 to the state bond fund over a period of not more than ten years from the date this appropriation is paid to the board. Repayments shall be made in equal installments deposited in the state treasury and credited to the state bond fund before November 1 each year.

#### Sec. 7. ZOOLOGICAL BOARD

To the commissioner of administration for a wolf and caribou exhibit

225,000

The appropriation in this section is from the general fund.

This appropriation is available only to match contributions received from nonstate sources in the amount of \$225,000. No money may be expended until the entire match has been received.

#### Sec. 8. ENERGY AND ECONOMIC DEVELOPMENT

Regional Solid Waste Disposal

1,400,000

This appropriation is for payment of a grant to the city of Bagley to develop a solid waste disposal, incineration, and district heating pilot project involving seven counties. The purpose of the project must be to deal with solid waste disposal as a rural problem

and provide more reliable energy to the incinerator site through a district heating system. The grant may not be paid until the commissioner of energy and economic development has determined that additional financing in the amount of \$10,000,000 has been committed by other sources.

This appropriation is from the general fund.

#### Sec. 9. MILITARY AFFAIRS

To the adjutant general for the purposes specified in this section

1,183,500

The construction paid for from this appropriation shall meet or exceed the interim and final energy conservation performance standards and guidelines for new commercial buildings promulgated by the United States secretary of energy under the Energy Conservation Standards for New Buildings Act of 1976, as amended, United States Code, title 33, section 6833.

(a) Replace roofs statewide 362,500

(b) Replace windows or close up openings in facilities 40 years of age or older 478,000

This appropriation is from the general fund.

(c) Rehabilitate and improve armory at Austin 77,800

This appropriation is from the general fund.

(d) Rehabilitate and improve armory at 600 Cedar Street, St. Paul 265,200

This appropriation is from the general fund.

(e) \$13,000 of the appropriation made in Laws 1983, chapter 344, section 5, clause (a), for installing a heating plant at Worthington may be used to install two heating boilers at Camp Ripley.

#### (f) Armory Studies

Prior to expenditure of the funds contained in this section, the department shall submit to the chairmen of the house

appropriations and senate finance committees an analysis of the current energy usage at the armories which are funded for improvements and the anticipated savings to be realized from these improvements.

The department of military affairs, with the assistance of the management analysis division of administration, will provide an analysis by February 1, 1985, of the options for multiple use or time-sharing of armories. This analysis will address space and support requirements, utilization strength, maintenance, and cost of the alternatives. The engineering and architectural component of this analysis will be provided by the building code division of the department of administration.

#### Sec. 10. VETERANS AFFAIRS

To the commissioner of administration for the purposes specified in this section

103,100

The appropriations in this section are from the general fund.

(a) Replace roof on three buildings at veterans home - Hastings

40,100

The construction paid for from this appropriation shall meet or exceed the interim and final energy conservation performance standards and guidelines for new commercial buildings promulgated by the United States secretary of energy under the Energy Conservation Standards for New Buildings Act of 1976, as amended, United States Code, title 33, section 6833.

(b) Repair cooling system and upgrade linen room in building 16 at veterans home - Minneapolis

63,000

The commissioner shall prepare a report which presents and analyzes alternative uses, including residential use, of buildings 1 through 5 on the Minneapolis campus which are compatible with the functions and programs of the veterans home. The report shall be submitted to the chairmen of the house appropriations

and senate finance committees by January 15, 1985.

#### Sec. 11. TRANSPORTATION

Subdivision 1. To the commissioner of transportation for the purposes more specifically described in the following subdivisions of this section

23,207,700

##### Subd. 2. Operating Facilities

7,207,700

The appropriations in this subdivision are from the trunk highway fund.

(a) Construct interstate rest area near Pine City

207,900

The commissioner of transportation shall not expend this appropriation until contracts have been awarded for the construction of a highway interchange at the junction of interstate highway 35 and county state aid highway 11 at Pine City.

(b) Construct addition to Oakdale district headquarters

986,000

The addition shall include office space for the state patrol, which shall relocate from rental space in Eagan; and shop and storage space for electronic communications, which shall relocate from rental space in St. Paul.

(c) Construct equipment storage building at New Ulm truck station

263,000

(d) Construct equipment storage building at Dresbach truck station

270,000

(e) Construct equipment storage building at Buffalo truck station

325,000

(f) Construct equipment storage building at Morris maintenance headquarters

900,000

This appropriation is available upon determination by the commissioner of administration that the commissioner of transportation has entered into a contract for the sale of the existing Morris maintenance equipment storage building. The contract for purchase of the existing Morris equipment storage building shall not be less than \$235,000. Funds received from the sale shall be deposited in the trunk highway fund.

(g) Construct St. Croix interstate rest

area and travel information center	292,500
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(h) Construct St. Croix weigh station	1,052,000
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The commissioner of transportation shall conduct an evaluation of the feasibility of utilizing weigh in motion facilities in conjunction with the construction and operation of the St. Croix weigh station.

The commissioner of public safety shall submit a report to the legislature regarding the utilization of the weigh stations located on trunk highway 61 near Winona and on trunk highway 3 near Farmington. The commissioner shall submit the report to the chairman of house appropriations and the chairman of senate finance by January 15, 1985.

(i) Construct interstate rest area near Mahtowa	207,900
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(j) Construct equipment storage building at Pine River truck station	238,000
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(k) Construct cold storage sheds statewide	65,000
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(l) Construct highway information center at Chisholm	200,000
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None of the costs of maintaining, staffing, and operating the highway information center at the Iron Range Interpretative Center shall be paid from the trunk highway fund.

(m) Construct rest area and travel information center near International Falls	654,400
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(n) Construct rest area and travel information center at Pigeon River	956,000
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(o) Construct equipment storage building for Chaska truck station	590,000
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This appropriation is available upon determination by the commissioner of administration that the commissioner of transportation has entered into contract for the sale of the existing Chaska equipment storage building. Funds received from the sale shall be deposited in the trunk highway fund.

Subd. 3. Interstate Substitution

4,000,000

This appropriation is from the state

transportation fund to provide not to exceed one-half of the nonfederal share of right-of-way, preliminary and construction engineering, and construction costs of local projects that are paid for with interstate substitution money.

The balance of the appropriation in Laws 1981, chapter 361, section 4, subdivision 5, item (b) for interstate substitution projects may only be expended to provide not to exceed one-half of the nonfederal share of right-of-way, preliminary and construction engineering, and construction costs of local projects that are paid for with interstate substitution money.

Notwithstanding any other law to the contrary, the commissioner of transportation shall not provide funds from this appropriation for the purpose of preliminary planning, design, or construction of an intercampus bus expressway between Minneapolis and Saint Paul

Subd. 4. Railroad Assistance

12,000,000

This appropriation is from the state transportation fund for the purposes specified in Minnesota Statutes, sections 222.49 to 222.63.

Sec. 12. MINNESOTA HISTORICAL SOCIETY

To the Minnesota historical society for the purposes specified in this section

3,600,000

(a) Plan for construction of State History Center

400,000

This appropriation is to the capitol area architectural and planning board, for expenditure in consultation with the Minnesota Historical Society, for a design competition for a new state history center.

This appropriation is available for expenditure only after a site study has been presented to the chairmen of the house appropriations and senate finance committees and they have made their advisory recommendations on it.

The study shall be paid for by \$150,000

of the appropriation made in Laws 1983, chapter 344, section 2, clause (f), which remains from the appropriation to the capitol area architectural and planning board for the history center's design competition. The study shall be submitted no later than November 1, 1984. The capitol area architectural and planning board, acting with three members to be designated by the director of the Minnesota historical society, must make a final siting recommendation to the chairman of the house appropriation committee and the chairman of the senate finance committee and include their rationale.

The historical society, capitol area architectural and planning board, and the commissioner of administration shall cooperate with this study and provide staff assistance as requested.

This appropriation authorizes and continues the design competition now in progress for the state history center.

The design competition for a new history center, landscaping, and site improvements shall not produce a total projected cost that exceeds \$41,000,000.

The historical society shall evaluate and report to the legislature on the potential for private sector support for program enhancements for the state history center, including but not limited to facility furnishings and equipment.

(b) Develop Split Rock Lighthouse historic site	1,550,000
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(c) Develop Red River Valley Center	1,000,000
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This appropriation shall be expended in accordance with Minnesota Statutes, sections 138.92 and 138.93.

(d) Lake Superior Museum of Transportation and Industry	50,000
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This appropriation shall be expended in accordance with Minnesota Statutes, sections 138.92 and 138.93.

The appropriations in items (e) to (i) are from the general fund.

(e) Develop historic interpretive facili-



ties statewide	150,000
(f) Stabilize Grand Mound	75,000
(g) Historic site restoration and preventive maintenance	100,000
(h) Restore and preserve historical objects in Capitol building	250,000
(i) Repair state monuments, markers, and waysides	25,000

### Sec. 13. VOCATIONAL-TECHNICAL EDUCATION

Subdivision 1. To the state board of vocational-technical education for post-secondary vocational-technical construction in the school districts listed in this section

10,057,600

Independent School District No. 11, Anoka

1,046,400

This appropriation is to remodel warehouse and other space for other purposes. The total cost of the project shall not exceed \$1,231,000, whether paid from state, local, or federal money.

Independent School District No. 492, Austin

195,300

This appropriation is to remodel connecting links. The total cost of the project shall not exceed \$229,800, whether paid from state, local, or federal money.

Independent School District No. 31, Bemidji

138,400

(1) \$96,200 is to replace a roof.

The total cost of the project shall not exceed \$113,200, whether paid from state, local, or federal money. This appropriation is from the general fund.

(2) \$42,200 is to construct a vestibule.

The total cost of the project shall not exceed \$49,700, whether paid from state, local, or federal money. This appropriation is from the general fund.

Independent School District No. 181, Brainerd

124,000

This appropriation is for an addition to

the auto body shop. The total cost of the project shall not exceed \$145,900, whether paid from state, local, or federal money.

Independent School District No.  
891, Canby

22,700

This appropriation is to complete the replacement of a roof. The total cost of the project shall not exceed \$26,800, whether paid from state, local, or federal money. This appropriation is from the general fund.

Special Intermediate School District  
No. 917, Dakota County

34,100

This appropriation is to modify boilers. The total cost of the project shall not exceed \$40,200, whether paid from state, local, or federal money. This appropriation is from the general fund.

Independent School District No.  
709, Duluth

2,388,500

(1) \$2,125,000 is to construct additional space for electronics, health, data processing, and business.

The total cost of the project shall not exceed \$2,500,000, whether paid from state, local, or federal money.

(2) \$212,500 is to resurface a parking lot.

The total cost of the project shall not exceed \$250,000, whether paid from state, local, or federal money. This appropriation is from the general fund.

(3) \$51,000 is to install electronic heat and ventilation controls.

The total cost of the project shall not exceed \$60,000, whether paid from state, local, or federal money. This appropriation is from the general fund.

Independent School District No.  
697, Eveleth

439,500

This appropriation is to construct a commons area, kitchen and receiving area, and instrumentation laboratory. The total cost of the project shall not exceed

\$517,000, whether paid from state, local, or federal money.

Independent School District No. 423,  
Hutchinson

638,700

(1) \$500,000 or so much thereof as is necessary is for the costs to acquire the Crow River Vocational Cooperative Center Building

The total cost of this acquisition shall not exceed \$588,200, whether paid from state, local, or federal money.

(2) \$138,700 is to connect utility units to natural gas.

The total cost of the project shall not exceed \$163,200, whether paid from state, local, or federal money. This appropriation is from the general fund.

Independent School District No.  
77, Mankato

102,000

This appropriation is to construct a graphic arts classroom and laboratory.

The total cost of the project shall not exceed \$120,000, whether paid from state, local, or federal money.

Special School District No. 1,  
Minneapolis

1,700,000

This appropriation is to acquire and to better the Aviation Center facility. The total cost of this project shall not exceed \$2,000,000, whether paid from state, local, or federal money.

Special School District No. 1, Minneapolis, may purchase the facility presently used by the Minneapolis Technical Institute for the Aviation Training Center. Renovation or expansion of this facility shall not proceed until such time as the purchase is complete and title has been transferred.

Enrollment in aviation mechanics programs at Minneapolis Technical Institute shall not be increased beyond the current level without submission of documentation that placement rates have improved. Requests to increase enrollment shall be reviewed by the chairmen of the House

Appropriations and Senate Finance Committees and the chairmen shall make recommendations on the requests. Failure or refusal to make a recommendation promptly is deemed a negative recommendation.

Independent School District No.  
152, Moorhead

495,600

(1) \$303,900 is for a project for the air conditioning and refrigeration program.

Total costs of this project shall not exceed \$357,500, whether paid from state, local, or federal money.

(2) \$191,700 to reroof the 1971 addition.

The total cost of the project shall not exceed \$225,500, whether paid from state, local, or federal money. This appropriation is from the general fund.

Special Intermediate School  
District No. 916

998,100

(1) \$369,900 is for decking the refrigeration and heating, graphic arts, and mobile home repair shops.

The total cost of the project shall not exceed \$435,100, whether paid from state, local, or federal money.

(2) \$120,000 is to construct a warehouse.

The total cost of the project shall not exceed \$141,200, whether paid from state, local, or federal money.

(3) \$303,400 is to encapsulate asbestos.

The total cost of the project shall not exceed 356,900, whether paid from state, local, or federal money. This appropriation is from the general fund.

(4) \$35,500 is to add an air lock to the east entrance.

The total cost of the project shall not exceed \$41,800, whether paid from state, local, or federal money. This appropriation is from the general fund.

(5) \$169,300 is to insulate shop ceil-

ings.

The total cost of the project shall not exceed \$199,200, whether paid from state, local, or federal money. This appropriation is from the general fund.

Independent School District No.  
625, St. Paul

731,300

(1) \$270,600 is to remove asbestos.

The total cost of the project shall not exceed \$318,200, whether paid from state, local, or federal money. This appropriation is from the general fund.

(2) \$460,700 is to reroof the building and repair interior and exterior walls.

The total cost of the project shall not exceed \$542,000, whether paid from state, local, or federal money. This appropriation is from the general fund.

Independent School District No.  
793, Staples

76,500

This appropriation is to replace overhead doors. The total cost of the project shall not exceed \$90,000, whether paid from state, local, or federal money. This appropriation is from the general fund.

Independent School District No.  
347, Willmar

773,500

(1) \$680,000 is for additional agriculture program classrooms and labs.

The total cost of the project shall not exceed \$800,000, whether paid from state, local, or federal money.

(2) \$93,500 is for various energy conservation measures.

The total cost of the project shall not exceed \$110,000, whether paid from state, local, or federal money. This appropriation is from the general fund.

Independent School District No.  
861, Winona

153,000

This appropriation is to resurface a parking lot. The total cost of the project shall not exceed \$180,000, whether paid from state, local, or federal money. This ap-

propriation is from the general fund.

#### Sec. 14. COMMUNITY COLLEGES

Subdivision 1. To the commissioner of administration for the purposes more specifically described in the following subdivisions of this section

25,038,400

Subd. 2. Anoka-Ramsey Community College

4,300,000

This building fund appropriation is for the following:

(a) \$2,800,000 for improvements or expansion of the library, classrooms, college center, and physical education facilities.

(b) \$1,000,000 for the Cambridge Community College Center. Of this amount, \$185,000 or so much thereof as is necessary, is for the costs to acquire by direct purchase the present facility owned by the Cambridge Business Development Company. The remaining \$815,000 is for the costs to construct an additional building on the present site, additional parking, and equipment.

(c) \$500,000 to acquire by direct purchase the Advent Lutheran Church building and land which is adjacent to the Anoka-Ramsey Community College campus.

Subd. 3. Itasca Community College Planning for library, college center, classroom buildings and physical education building addition

175,000

Subd. 4. Minneapolis Community College

Construct classroom, library, college center, and plan for a fine arts building

8,600,000

Subd. 5. North Hennepin Community College

2,713,000

Construct a business technology building and improvements and plan for additions to the physical education facility.

Subd. 6. Rainy River Community College

Construct college center and physical education building addition	1,200,000
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Subd. 7. Rochester Community College	2,850,000
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This appropriation is to plan, construct, equip, and furnish a 30,000 gross square foot addition to Rochester Community College. This appropriation shall not be spent until a portion of the former Rochester state hospital is sold and all of the net proceeds are deposited in the state treasury and credited to the general fund.

"Net proceeds" means the gross proceeds less: (1) the accumulated operating costs associated with the heating, maintenance, and improvements for the property sold and provision for security for the period beginning December 29, 1982, and ending on the date of sale of the real property; (2) costs incurred by Olmsted County for roof repairs previously made to hospital buildings and road improvements made necessary because of the sale of the property; and (3) consultant fees and advertising costs related to the sale of the property.

The purpose of this addition is to house the Winona State University Center. This appropriation is from the state building fund.

It is intended that the Winona State University Center at Rochester shall be used jointly by Winona State University for upper division and graduate instruction and by Rochester Community College.

The chancellor of the community college system and the chancellor of the state university system or their designees shall participate jointly in the design and oversight of the building construction. Winona State University, in consultation with Rochester Community College, shall be responsible for scheduling instructional facilities. Rochester Community College shall be assured reasonable access to and use of the building.

Rochester Community College shall be responsible for the operation and maintenance of the physical plant. Winona

State University will reimburse Rochester Community College on a prorated basis for fuel, utilities, maintenance, and other attributable expenses consistent with the procedure agreed upon by the state university and community college system chancellors.

**Subd. 8. Vermilion Community College**

Construct college center and physical education building addition	1,900,000
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Subd. 9. Systemwide repairs and betterments	3,300,400
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The appropriations in this subdivision are from the general fund to the community college board.

Notwithstanding Minnesota Statutes, section 16.02, the community college board shall supervise and control the making of necessary repairs to all community college buildings and structures.

(a) Replace leaking roofs and repair leaking membranes	225,000
(b) Construct or remodel hazardous chemical storage areas	336,000
(c) Install emergency lighting	159,000
(d) Repair roads and parking lots	450,000
(e) Repair brick-paver sidewalks at Inver Hills Community College	132,400
(f) Automate building energy systems	700,000
(g) Systemwide removal of asbestos	1,100,000
(h) Replace transformers	198,000

**Sec. 15. STATE UNIVERSITIES**

Subdivision 1. To the State University Board for the purposes more specifically described in the following subdivisions of this section	19,505,000
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Notwithstanding Minnesota Statutes, section 16.02, the state university board shall supervise and control the preparation of plans and specifications for the



construction, alteration, or enlargement of the state university buildings, structures, and improvements provided for in this section. The state university board shall advertise for bids and award contracts in connection with the improvements, supervise and inspect the work, approve necessary changes in the plans and specifications, approve estimates for payment, and accept the improvements when completed according to the plans and specifications.

Subd. 2. Bemidji Campus

1,280,000

(a) Plan to remodel or replace education and art building

230,000

(b) Renovate the exterior and plan for the rehabilitation of Sattgast Hall

1,050,000

Subd. 3. Mankato Campus

5,480,000

(a) Plan, construct, equip, and furnish classroom/laboratory building

5,400,000

(b) Correct fire code deficiencies

80,000

This appropriation is from the general fund.

Subd. 4. Moorhead Campus

695,000

(a) Plan, construct, equip, and furnish addition to Nemzek Hall

490,000

(b) Planning for construction of a library addition

205,000

Subd. 5. St. Cloud Campus

4,305,000

(a) Preliminary planning for Stewart Hall

60,000

(b) Plan and renovate Gray Campus Laboratory School

3,500,000

(c) Install air conditioning system chiller loop

745,000

Subd. 6. Southwest campus

115,000

Grade and plant trees to form a windbreak

This appropriation is from the general fund.

Subd. 7. Winona Campus

(a) Plan, renovate, equip, and furnish Somsen Hall

4,000,000

This appropriation includes \$360,000 for planning and working drawings for the renovation of Somsen Hall.

(b) The State University System may seek nonstate funds from friends of Winona State University and others in the Winona area for the campus landscaping and site-work project. Once nonstate funds are obtained, the State University System may proceed with planning and construction of the project.

Subd. 8. Systemwide planning and coordination - building projects	100,000
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Subd. 9. Systemwide	3,530,000
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The appropriations in this subdivision are from the general fund.

(a) Install automatic emergency lighting	300,000
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(b) Replace transformers and capacitors	1,054,000
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(c) Remove asbestos systemwide	576,000
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(d) Replace roofs	1,300,000
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(e) Prepare systemwide study of need for new construction, major remodeling, library facilities, sports and physical education facilities, and industrial arts facilities	300,000
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#### Sec. 16. UNIVERSITY OF MINNESOTA

Subdivision 1. To the regents of the University of Minnesota for the purposes more specifically described in the following subdivisions of this section	57,981,000
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Subd. 2. Twin Cities Campus	46,803,000
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(a) Appleby Hall	420,000
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This appropriation is for working drawings to remodel and/or add on to Appleby Hall. The total cost of the project may not exceed \$7,000,000.

(b) Electrical engineering and computer science building	2,700,000
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This appropriation is for two purposes. The first purpose is for working drawings to build and equip a facility not to

exceed a total cost of \$40,000,000. The second purpose is for the preparation of a master building plan for physical facilities for the Institute of Technology.

(c) Prepare working drawings and construct animal facilities on the St. Paul campus or at the Rosemount Experiment Station	4,000,000
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Notwithstanding the provisions of Minnesota Statutes, sections 16.821 to 16.827, the Regents of the University of Minnesota are not required to abide by the state designer selection board act for the remodeling and renovation portions of the animal housing facilities.

(d) Green Hall Planning	656,000
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(e) Remodel Smith Hall	21,000,000
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(f) Repair roof and install energy conservation measures of Folwell Hall	855,000
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(g) Remodel Amundson Hall and Mines and Metallurgy building	1,200,000
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Of this appropriation \$60,000 is for preliminary planning for phase II construction.

(h) Remodel parts of Mayo building for department of microbiology and school of public health	8,160,000
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(i) Music Library	1,275,000
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(j) Music performance laboratory	1,638,000
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This amount must be matched by no less than an equal amount from nonstate sources.

(k) Teaching Greenhouse and Headhouse	800,000
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(l) Prepare preliminary plans for Minneapolis Campus recreational sports facilities and St. Paul Campus gymnasium improvements	210,000
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This appropriation is for preliminary plans to build and equip a facility not to exceed a total cost to the state of \$10,000,000. The plans are to include an assessment of the availability of recreational sports facilities in parks and schools which are physically close to the Minneapolis and St. Paul campuses.

The regents of the University of Minnesota may use nonstate funds for the construction of new facilities for intercollegiate football and to install an artificial playing surface in the Field House.

(m) Modify Williams Arena to correct life safety deficiencies	621,000
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This appropriation is from the general fund.

(n) Repay bank loan for modifying Minneapolis Campus heating plant	1,000,000
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This appropriation is from the general fund.

(o) Convert primary electrical system on the Minneapolis Campus	978,000
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(p) Convert primary electrical system on the St. Paul Campus and air condition Goldstein Gallery	1,290,000
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Subd. 3. Duluth Campus	6,570,000
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(a) Recreational sports/physical education facilities	4,400,000
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This amount is to be matched by at least \$487,000 from nonstate sources.

(b) Natural Resources Research Institute-Remodel and equip sage building	1,800,000
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(c) Planning for remodeling and construction of engineering facilities	270,000
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(d) Study heating plant and steam distribution	100,000
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This appropriation is from the general fund.

Subd. 4. Morris Campus

Construct Greenhouse	200,000
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Subd. 5. Crookston Campus	1,584,000
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(a) Remodel Owen Hall	1,500,000
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Of this amount, \$25,000 is to plan a partial replacement of the Dairy Facility at the Northwest Experiment Station, with 15 animal stations for use by the Technical College.

(b) Construct addition to coal

storage facilities 34,000

This appropriation is from the general fund.

(c) Food service building air conditioning 50,000

Subd. 6. Waseca Campus

Construct mechanized agriculture shops addition and east portion of ring road 1,200,000

Subd. 7. Hormel Institute, Austin

Complete, equip, and furnish the Animal Research Annex 237,000

Subd. 8. Northwest Experiment Station, Crookston

Remodel existing agricultural research center auditorium 150,000

Subd. 9. Rosemount Experiment Station

Construct addition to hazardous waste storage facilities 75,000

This appropriation is from the general fund.

Subd. 10. Southern Experiment Station, Waseca

Construct farm implement storage facility 114,000

Subd. 11. Southwest Experiment Station, Lamberton Acquire land

98,000

Subd. 12. Systemwide

950,000

(a) Remodel facilities to accommodate the physically handicapped 750,000

(b) Remodel facilities to meet life and fire safety standards 200,000

This appropriation is from the general fund.

Sec. 17. CORRECTIONS

Subdivision 1. To the commissioner of administration for the purposes more specifically described in the following subdivisions of this section

2,598,900

The appropriations in this section are from the general fund, unless otherwise indicated.

Subd. 2. Minnesota Correctional Facility - Lino Lakes

148,000

(a) Fire control system - "B" Building	119,000	
(b) Upgrade security surveillance	29,000	
Subd. 3. Minnesota Correctional Facility - Red Wing		240,000
(a) Roof replacement, Harvard and Stanford cottages	90,000	
(b) Repair roof, replace eaves and gutters, and tuckpoint chapel	50,000	
(c) Install sprinkler system in three maintenance buildings	100,000	
Subd. 4. Minnesota Correctional Facility - St. Cloud		554,900
(a) Roof replacement, power plant and administration building	41,300	
(b) Replace plumbing in cell houses A and B	184,000	
(c) Replace light fixtures in cells	47,000	
(d) Replace windows in two shops and administration building	43,000	
(e) Tuckpointing	137,600	
(f) Demolish farm buildings	2,000	
(g) Replace doors and locks in school building	100,000	
Item (g) is appropriated from the state building fund.		
Subd. 5. Minnesota Correctional Facility - Sauk Centre		186,000
(a) Repair roofs on four buildings	29,000	
(b) Install fire exit stairways from three residential cottages	30,000	
(c) Install carpet and ceiling tile in Mary Lyon School	21,000	
(d) Resurface recreation area and parking lot	10,000	
(e) Remodel Sullivan Cottage	96,000	
Subd. 6. Minnesota Correctional Facility - Stillwater		1,373,000
(a) OSHA, fire and life safety projects	120,000	
(b) Ventilation and heating in		

cell halls A and B	52,000	
(c) Replace plumbing in cell halls A and B	210,000	
(d) Enlarge and remodel communication room	68,000	
(e) Tuckpointing	553,000	
(f) Lock replacement in cell hall B	180,000	
(g) Renovate steam and return lines	190,000	
Subd. 7. Willow River Camp		97,000
(a) Pave camp road	50,000	
(b) Addition to administration building	47,000	
Sec. 18. PUBLIC WELFARE		
Subdivision 1. To the commissioner of administration for the purposes more specifically described in the following subdivisions of this section		4,730,400
The appropriations in this section are from the general fund, unless otherwise indicated.		
Subd. 2. Faribault State Hospital		344,400
(a) Reconstruct roads and parking areas	303,400	
Of the amount appropriated \$6,000 shall be for sealcoating.		
(b) Renovate power plant and laundry condensation system	41,000	
Subd. 3. Fergus Falls State Hospital		502,000
(a) For air conditioning in buildings 27 and 28	222,000	
(b) Replace boiler emission control unit with electrostatic precipitator	280,000	
Item (b) is appropriated from the state building fund.		
Subd. 4. Moose Lake State Hospital		810,000
(a) For purchase and installment of a new ventilation system in buildings 1, 2, 3, and 4	578,000	
(b) Renovate and replace plumbing and shower fixtures in buildings 51 and 52	53,000	

(c) Boiler conversion 179,000

Subd. 5. St. Peter State Hospital

Demolish the old Minnesota Security  
Hospital building 300,000

Subd. 6. Roof Repair and  
Replacement 408,000

This appropriation shall be limited to  
projects at state hospitals in Anoka,  
Cambridge, Faribault, Fergus Falls,  
Moose Lake, and St. Peter.

Subd. 7. Floor Covering 650,000

This appropriation shall be limited to  
projects for carpeting or alternative floor  
coverings at state hospitals in Brainerd,  
Cambridge, Faribault, Fergus Falls,  
Moose Lake, St. Peter, and Willmar.

Subd. 8. Systemwide furniture  
replacement 400,000

Subd. 9. Road and parking  
lot repair 184,000

This appropriation shall be limited to  
projects for patching, resurfacing, and  
sealcoating at Ah Gwah Ching State  
Nursing Home and state hospitals in  
Anoka, Brainerd, Cambridge, Fergus  
Falls, Moose Lake, St. Peter, and  
Willmar.

Subd. 10. Mechanical system renovation 450,000

This appropriation shall be used for  
various boiler heating and hot water  
projects at Oak Terrace State Nursing  
Home and state hospitals in Anoka,  
Brainerd, Faribault, Moose Lake, and  
Willmar.

Subd. 11. Special Building  
Contingent 682,000

(a) Building renovation and  
structural corrections at Ah Gwah Ching  
State Nursing Home and state hospitals  
in Anoka, Brainerd, Cambridge,  
Faribault, Moose Lake,  
and Willmar 500,000

(b) Remodeling bathrooms at  
Faribault and Moose Lake State  
Hospitals and Ah Gwah Ching State



Nursing Home

182,000

The appropriations for the projects in this subdivision shall be available only after a plan for the future use of state hospitals has been submitted by the state planning agency to the 1985 legislature and subsequent consideration of these projects with the chairmen of the senate finance committee and the house appropriations committee.

#### Sec. 19. BOND SALE EXPENSES

To the commissioner of finance for bond sale expenses under Minnesota Statutes, section 16A.641, subdivision 8

153,000

#### Sec. 20. INTEREST RATE REDUCTION EXPENSES

To the commissioner of finance for payments made under contracts for interest rate reduction measures as authorized by this act

7,230,000

#### Sec. 21. [BOND SALE; DEBT SERVICE.]

*To provide the money appropriated in this act from the state building fund the commissioner of finance upon request of the governor shall sell and issue bonds of the state in an amount up to \$139,540,000 in the manner, upon the terms, and with the effect prescribed by Minnesota Statutes, sections 16A.63 to 16A.672, and by the Constitution, article XI, sections 4 to 7.*

#### Sec. 22. [TRANSPORTATION BONDS.]

*To provide the money appropriated in this act from the state transportation fund the commissioner of finance upon request of the governor shall sell and issue bonds of the state in an amount up to \$16,000,000 in the manner, upon the terms, and with the effect prescribed by Minnesota Statutes, sections 174.50, 174.51, and by the Constitution, article XI, sections 4 to 7.*

#### Sec. 23. [CONSULTATION REQUIRED.]

*No land shall be purchased and no buildings shall be purchased, constructed, or erected on lands of the University of Minnesota until the regents have first consulted with the chairman of the senate finance committee and the chairman of the house appropriations committee and obtained their recommendations, which are advisory only.*

#### Sec. 24. [REVIEW OF PLANS.]

*The commissioner of administration, the commissioner of transportation, the state university board, and the board of regents of the University of Minnesota shall not prepare final plans and specifications for any construction or major remodeling authorized by this act until the using agency or department has presented the program and schematic plans and cost estimates for all elements necessary to complete the project to the chairman of the house*

*appropriations committee and the chairman of the senate finance committee and the chairmen have made their recommendations thereon. The recommendations are advisory only. Failure or refusal to make a recommendation promptly is deemed a negative recommendation.*

**Sec. 25. [APPROPRIATIONS FOR CONSTRUCTION; TRANSFER.]**

*Upon the awarding of final contracts for the completion of a project for construction or other permanent improvement authorized by this act, the commissioners of administration and transportation, the state university board, and the board of regents of the University of Minnesota as to appropriations made to them may transfer any unencumbered balance in the project account to any other project enumerated in the same section of the appropriation act as the project about to be completed. The money transferred pursuant to this section is appropriated for the purposes for which transferred. The commissioners of administration and transportation and the board of regents of the University of Minnesota shall report to the chairman of the house appropriations committee and the chairman of the senate finance committee on any transfer made pursuant to this section.*

**Sec. 26. [APPROPRIATIONS FOR CONSTRUCTION; FEDERAL MONEY; EXCEEDING AUTHORIZED COST.]**

*The commissioner of administration, the commissioner of transportation, the state university board, and the board of regents of the University of Minnesota shall apply for the maximum federal share for each capital improvement project for which money is appropriated by this act. Encumbrance or expenditure of money in excess of the project authorization shall be made only after the commissioner of administration, the commissioner of transportation, and the board of regents, as appropriate, have consulted with the chairman of the house appropriations committee and the chairman of the senate finance committee and the chairmen have made their recommendations thereon. The recommendations are advisory only. Failure or refusal to make a recommendation promptly is deemed a negative recommendation.*

**Sec. 27. [METHODS OF ACQUISITION.]**

*Where money has been appropriated by this act to the commissioner of administration to acquire lands or sites for public buildings or real estate, acquisition may be by gift, purchase, or condemnation proceedings. Condemnation proceedings shall be under Minnesota Statutes, chapter 117.*

**Sec. 28. [APPROPRIATION REDUCTIONS; CANCELLATIONS.]**

*The appropriation in Laws 1981, chapter 4, section 9, subdivision 9, item (a), to remodel building 8 at Rochester state hospital, is reduced by \$68,000. The appropriation in Laws 1981, chapter 334, section 11, subdivision 3, for district heating at Moorhead state university, is reduced by \$2,485,000. The appropriation in Laws 1981, chapter 361, section 2, item (e), to construct a tunnel from the Historical Society building to the Mechanic Arts School building, is reduced by \$412,000. The appropriation in Laws 1981, chapter 361, section 2, item (g), for Fergus Falls State Hospital Power Plant Conversion, is reduced by \$2,550,000. The appropriation in Laws 1981, chapter 361, section 4, subdivision 5, for transportation projects, is reduced by \$58,900,000. The appropriation in Laws 1981, chapter 362, section 5, sub-*

*division 3, to construct an agronomy and plant genetics, plant pathology, and soil science building, is reduced by \$1,400,000. The appropriation in Laws 1983, chapter 344, section 2, item (h), to acquire the MEA building, and in item (i), to renovate the MEA building, are canceled. The appropriation in Laws 1983, chapter 344, section 10, subdivision 2, item (b), to construct a music facility on the West Bank campus, is reduced by \$4,525,000.*

Sec. 29. [BOND SALE REDUCTIONS.]

*The bond sale authorization in Laws 1981, chapter 4, section 13, is reduced by \$68,000. The bond sale authorization in Laws 1981, chapter 334, section 12, is reduced by \$3,685,000. The bond sale authorization in Laws 1981, chapter 361, section 9, is reduced by \$2,962,000. The bond sale authorization in Laws 1981, chapter 361, section 10, is reduced by \$58,900,000. The bond sale authorization in Laws 1981, chapter 362, section 7, is reduced by \$1,400,000. The bond sale authorization in Laws 1982, chapter 639, section 13, is reduced by \$63,000. The bond sale authorization in Laws 1983, chapter 344, section 15, is reduced by \$7,660,000.*

Sec. 30. Minnesota Statutes 1982, section 16.72, subdivision 7, is amended to read:

Subd. 7. [SURCHARGE FOR VEHICLES OCCUPIED BY ONE PERSON.] The commissioner of administration shall impose a surcharge of 25 percent for vehicles occupied by only one person parking in a state parking facility in the capitol area, as described by section 15.50, subdivision 2. The revenue from this additional charge shall be placed by the commissioner in a special account. For the benefit of employees employed in the capitol area, the money in the account is appropriated to the commissioner and shall be used by the commissioner *in the following order of priority: (1) to acquire or lease commuter vans pursuant to section 16.756 and;* (2) within such limits and upon such conditions as the commissioner determines to be necessary, to reimburse state departments or agencies for costs resulting from agreements with the metropolitan transit commission or other operators pursuant to section 473.409; *and (3) to be used for maintaining and improving parking lots or facilities owned or operated by the state.* The commissioner may adopt rules necessary to administer the provisions of this subdivision, subdivision 5, and section 473.409. The rules may exempt from the surcharge vehicles operated by persons who the commissioner determines have job requirements that make car pooling impractical.

Sec. 31. [16A.011] [DEFINITIONS.]

Subdivision 1. [APPLICABILITY.] *The definitions in this section apply to chapter 16A.*

Subd. 2. [ALLOTMENT.] "Allotment" means a limit placed by the commissioner on the amount to be spent or encumbered during a period of time pursuant to an appropriation.

Subd. 3. [APPROPRIATION.] "Appropriation" means an authorization by law to expend or encumber an amount in the treasury.

*Subd. 4. [COMMISSIONER.] "Commissioner" means the commissioner of finance.*

*Subd. 5. [ENCUMBRANCE.] "Encumbrance" means the commitment of a portion or all of an allotment in order to meet an obligation that is expected to be incurred to pay for goods or services received by the state or to pay a grant.*

*Subd. 6. [TREASURER.] "Treasurer" means the state treasurer.*

*Subd. 7. [TREASURY.] "Treasury" means the state treasury.*

Sec. 32. Minnesota Statutes 1982, section 16A.54, is amended to read:

**16A.54 [GENERAL FUND DEFINED.]**

*Except as provided in section 16A.671, subdivision 3, the term "general fund" appearing in any existing or hereafter enacted law relating to revenues deposited in or expenditures appropriated from the state treasury means such moneys as have been deposited in the state treasury for the usual, ordinary, running, and incidental expenses of the state government and does not include moneys deposited in the state treasury for a special or dedicated purpose.*

**Sec. 33. [16A.631] [STATE BUILDING FUND.]**

*The state building fund is established to receive state bond proceeds appropriated to agencies to acquire and to better public lands and buildings and other public improvements of a capital nature, as authorized by the Constitution, article XI, section 5, clause (a).*

**Sec. 34. [16A.641] [STATE BONDS; APPROPRIATIONS.]**

*Subdivision 1. [AUTHORITY.] When authorized by a law enacted in accordance with the Constitution, article XI, sections 5 and 7, the commissioner of finance may sell and issue general obligation bonds of the state evidencing public debt incurred for any purpose stated in those sections. The full faith, credit, and taxing powers of the state are irrevocably pledged for the prompt and full payment of the bonds and interest.*

*Subd. 2. [REPORT.] Before a sale of general obligation bonds, the commissioner shall report the amount of bonds to be issued and a detailed list of the projects or a statement of the program to be financed to the chairmen of the house appropriations and tax committees and of the senate finance and tax committees, and the minority leaders of the house and senate, for their advisory recommendation. The recommendation is positive if not received within ten days.*

*Subd. 3. [SERIES OF BONDS.] Bonds authorized by a law may be issued in more than one series, and bonds authorized by more than one law may be combined in a single series, as determined by order of the commissioner. The order must state the principal amount of the bonds to be issued under each law, and the aggregate principal amount and the maturity dates and amounts of the bonds included in the series that are to be issued for the purpose of each special fund.*

*Subd. 4. [SALE AND ISSUANCE.] State bonds must be sold and issued upon sealed bids in the manner and on the terms and conditions determined*

by the commissioner in accordance with the laws authorizing them and subject to the approval of the attorney general, but not subject to chapter 14. For each series, in addition to provisions required by subdivision 3, the commissioner may determine:

- (1) the time, place, and notice of sale and method of comparing bids;
- (2) the price, not less than par for highway bonds;
- (3) the principal amount and date of issue;
- (4) the interest rates and payment dates;
- (5) the maturity amounts and dates, not more than 20 years from the date of issue, subject to subdivision 5;
- (6) the terms, if any, on which the bonds may or must be redeemed before maturity, including notice, times, and redemption prices; and
- (7) the form of the bonds and the method of execution, delivery, payment, registration, conversion, and exchange, in accordance with section 16A.672.

*Subd. 5. [PLANNING MATURITIES.] In issuing each series of state bonds the commissioner shall try to establish the maturities and other terms so that transfers to the state bond fund required in each year of the then current biennium under subdivision 10 may be made with the least practical effect on orderly spending plans for other appropriations from the general fund.*

*Subd. 6. [CERTIFICATION.] The commissioner of finance shall ascertain from state records and certify to the holders of each series of state bonds, subject to the approval of the attorney general, that all conditions exist and all actions have been taken that are needed to make the bonds valid and binding general obligations of the state in accordance with their terms. The commissioner shall also certify for the state the facts, estimates, and circumstances on the date of issue that lead the commissioner reasonably to expect that the proceeds will not be used in a way that would make the bonds arbitrage bonds under section 103(c) of the Internal Revenue Code and related federal regulations.*

*Subd. 7. [CREDIT OF PROCEEDS.] (a) Proceeds of bonds issued under each law must be credited by the commissioner to a special fund, as provided in this subdivision.*

*(b) Accrued interest and any premium received on sale of the bonds must be credited to the state bond fund created by the Constitution, article XI, section 7.*

*(c) Proceeds of state building bonds must be credited to the state building fund under section 16A.631.*

*(d) Proceeds of state highway bonds must be credited to the trunk highway fund under the Constitution, article XIV, section 6.*

*(e) Proceeds of bonds issued for programs of grants or loans to political subdivisions must be credited to special funds established by laws stating the purposes of the grants or loans, and the standards and criteria under which an executive agency is authorized to make them.*

*(f) Proceeds of refunding bonds must be credited to the state bond fund as provided in section 16A.66, subdivision 1.*

**Subd. 8. [APPROPRIATION OF PROCEEDS.]** *(a) The proceeds of bonds issued under each law are appropriated for the purposes described in the law and in this subdivision. This appropriation may never be canceled.*

*(b) Before the proceeds are received in the proper special fund, the commissioner may transfer to that fund from the general fund amounts not exceeding the expected proceeds. The commissioner shall return these amounts to the general fund by transferring proceeds when received. The amounts of these transfers are appropriated from the general fund and from the bond proceeds.*

*(c) Actual and necessary travel and subsistence expenses of employees and all other expenses incidental to the sale, printing, execution, and delivery of bonds must be paid from the proceeds. The proceeds are appropriated for this purpose.*

*(d) Bond proceeds remaining in a special fund after the purposes for which the bonds were issued are accomplished or abandoned, as certified by the head of the agency administering the special fund, or as determined by the commissioner, unless devoted under the appropriation act to another purpose designated in the act, shall be transferred to the state bond fund.*

**Subd. 9. [SPECIAL ACCOUNTS; APPROPRIATION.]** *(a) The commissioner of finance shall establish separate accounts in the state bond fund for:*

*(1) state building bonds, and for other state bonds issued for each program of grants to political subdivisions for a particular class of capital expenditures, to record debt service payments and receipts of amounts appropriated from the general fund under subdivision 10;*

*(2) state highway bonds, to record debt service payments, receipts of amounts appropriated for debt service from the trunk highway fund pursuant to the Constitution, article XIV, section 6, and additional receipts, if any, of amounts appropriated from the general fund under subdivision 10;*

*(3) state bonds issued for each capital loan and for each program of capital loans to agencies or political subdivisions, to record debt service payments, receipts of loan repayments appropriated for debt service or reimbursement of debt service by the law authorizing the loan or program, and any additional receipts of amounts appropriated from the general fund under subdivision 10; and*

*(4) refunding bonds, as provided in section 16A.66, subdivision 1.*

*(b) All money credited, transferred, or appropriated to the state bond fund and all income from the investment of that money is appropriated to the commissioner for the payment of principal and interest on state bonds.*

**Subd. 10. [APPROPRIATION FROM GENERAL FUND.]** *There is annually appropriated to the state bond fund from the general fund the amount that, added to the amount in the state bond fund on November 1 each year, is needed to pay the principal of and interest on all state bonds due and to become due through July 1 in the second ensuing year. The money appropriated must be available in the state bond fund each year before the tax oth-*

erwise required by the Constitution, article XI, section 7, is levied.

*Subd. 11. [CONSTITUTIONAL TAX LEVY.] Under the Constitution, article XI, section 7, the state auditor must levy each year on all taxable property within the state a tax sufficient, with the amount then on hand in the state bond fund, to pay all principal and interest on state bonds due and to become due to and including July 1 in the second ensuing year. If levied, this tax must be assessed and extended against real property used for the purposes of a homestead, as well as other taxable property, notwithstanding section 273.13, subdivisions 6 and 7. The tax is not subject to limitation of rate or amount. However, the amount of money appropriated from other sources as provided in subdivision 10, and actually received and on hand prior to the levy in any year, reduces the amount of the tax otherwise required to be levied. The proceeds of the tax must be credited to the state bond fund.*

*Subd. 12. [SUPPLEMENTAL APPROPRIATION FROM GENERAL FUND.] If the proceeds of the tax levied under subdivision 11 are ever insufficient to make the principal and interest payments on state bonds when due, the balance must be paid out of the general fund. The amount needed to pay the balance is appropriated from the general fund to the commissioner.*

**Sec. 35. [16A.651] [INTEREST RATE REDUCTION.]**

*The commissioner may enter into contracts providing for the issuance of letters of credit, put options, or other contractual rights deemed necessary or desirable to reduce the interest rate on state general obligation bonds to be issued by the commissioner, and may pay the cost of the contracts from bond proceeds, including premiums and accrued interest, received from purchasers. The amount of bonds authorized to be issued by the commissioner under any other law adopted before the effective date of this section is increased by up to five percent in order to provide all or a portion of the money required to be paid under the contracts. The expenditure of bond proceeds for this purpose is deemed to be an expenditure for the primary purpose for which the bonds covered by the contract are authorized to be issued by the Constitution and applicable law. So much of the proceeds of bonds issued by the commissioner as is necessary to pay the costs of the letters of credit, put options, or other contractual rights is appropriated for this purpose.*

**Sec. 36. Minnesota Statutes 1982, section 16A.66, as amended by Laws 1983, chapter 301, sections 96, 97, and 98, is amended to read:**

**16A.66 [MINNESOTA STATE REFUNDING BONDS.]**

**Subdivision 1. [AUTHORITY; REDUCTION OF TAX AND APPROPRIATION FOR REFUNDED BONDS.] For the purpose of refunding state bonds of any series heretofore or hereafter authorized, including interest on them, The commissioner of finance may, with approval by resolution of the executive council, issue state bonds of the state of Minnesota in the manner and upon the terms and conditions prescribed in this in accordance with section and in the Constitution, article XI, section 7. For the prompt and full payment of all such refunding bonds and the interest thereon the full faith and credit and taxing powers of the state are irrevocably pledged 16A.641 to refund any outstanding state bonds and interest on them. The proceeds of such refunding bonds shall be credited to the account established within the state bond fund created by the Constitution, and within that fund to such separate**

bookkeeping account as shall have been created for the payment of the bonds to be refunded and the interest thereon, and shall be credited only against the appropriations in section 16A.641, subdivisions 9 and 10 and the tax otherwise required by the constitution to be levied with respect to the refunded bonds and interest.

Subd. 2. [SPECIAL PROVISIONS FOR SALE AND ISSUANCE.] Unless otherwise expressly provided in the law authorizing the issuance of any series of bonds, such authorization shall include authorization to the commissioner to issue refunding bonds for the purpose of refunding the same in the manner and upon the terms and conditions prescribed in this section. Any act directing the issuance of bonds for any purpose shall, together with this section, constitute complete authority for the issuance of bonds to refund the same, and such refunding bonds shall not be subject to the restrictions or limitations contained in any other law.

Subd. 3. Such Refunding bonds shall be issued and sold upon sealed bids, or may be sold publicly, or directly to the state board of investment without bids, or may be exchanged for bonds refunded by agreement with the their holders thereof, and shall be prepared, executed, and delivered, and when issued shall be secured, in the same manner in all respects way as provided by law and the Constitution for the refunded bonds refunded thereby. The proceeds of the refunding bonds may be deposited, invested, and applied to accomplish the refunding in the manner and upon the conditions as provided in section 475.67, subdivisions 5 to 10. The interest rate on refunding bonds may exceed that on the refunded bonds refunded when in the judgment of if the commissioner and council purpose of refunding is nevertheless necessary or desirable for the purpose of extending to extend the maturities and reducing to reduce the annual amount of the property tax or other funds needed annually to pay and to secure the bonds and interest debt.

Subd. 4 3. [APPROPRIATION.] Such moneys as are required The money needed to carry out the purposes of this section are is appropriated annually therefor.

Subd. 5. Prior to each sale of general obligation bonds, the commissioner of finance shall report to the chairmen of the house appropriations and senate finance committees, house and senate tax committees, and the minority leaders of the house and senate, the amount of bonding to be issued and a detailed list of the projects which are to be financed and shall receive their recommendations. These recommendations are advisory only; failure to reply within ten days is deemed a positive response.

Sec. 37. Minnesota Statutes 1982, section 16A.671, is amended to read:

#### 16A.671 [CERTIFICATES OF INDEBTEDNESS.]

Subdivision 1. [AUTHORIZATION.] For the purpose of assuring To ensure that cash or cash equivalent assets will be is available at all times during each biennium when needed to pay all warrants drawn on the general fund pursuant to under appropriations and allotments for expenditure for any purpose during that biennium, the governor may authorize the commissioner of finance (1) to issue certificates of indebtedness in anticipation of the collection of taxes levied for and other revenues appropriated to the general fund, for expenditure during each biennium; and (2) to issue additional certificates to refund outstanding certificates or and interest thereon, under the provisions of on them, under the constitution, article XI, section 6.

Subd. 2. [ADVISORY RECOMMENDATION.] Before certificates of



indebtedness are initially sold and issued pursuant to any authorization, except for the purpose of refunding by any of the methods authorized in subdivision 6, the governor shall ~~secure seek~~ the advisory recommendation of the legislative advisory commission ~~as to or, if there is no commission, the executive council, on~~ (1) the necessity thereof of issuing them, (2) the terms and conditions of the sale and issuance, and (3) the maximum amount to be issued and outstanding under the authorization. ~~When certificates of indebtedness are to be sold and issued pursuant to subdivision 5, clause (b) or (c), the governor shall secure a recommendation before the line of credit is established or the underwriting or placement agreement is entered into, but need not secure~~ If the commission or council does not make a recommendation promptly, the recommendation is negative. An additional recommendation is not required for refunding outstanding certificates or for each issuance of certificates of indebtedness pursuant to that in accordance with an approved line of credit, underwriting, or placement agreement. ~~The recommendation of the commission shall be advisory only. The failure of the commission to make a recommendation promptly is a negative recommendation. If there is no legislative advisory commission, the governor shall request an advisory recommendation from the executive council.~~

Subd. 2 3. [DEFINITIONS.] As used in this section, the following terms have the meanings given them:

(a) "Allotment" means a limitation placed by the commissioner of finance pursuant to law, upon the amount to be expended or encumbered during any period during a biennium pursuant to an appropriation.

(b) "Appropriation" means an authorization by law to expend or encumber an amount in the general fund during a biennium, including but not limited to:

(1) Direct appropriations;

(2) Open and standing appropriations;

(3) Appropriations of sums sufficient for stated purposes, the amounts of which shall be deemed to be as estimated by the commissioner of finance from time to time; and

(4) Appropriations of amounts to be paid or transferred in financial records from the general fund to any special or dedicated fund.

(c) (a) "General fund" means all cash and investments from time to time received and held in the state treasury, except proceeds of state bonds and amounts received and held in special or dedicated funds created by the state constitution, or by or pursuant to federal laws or regulations thereunder, or by bond or trust instruments, pension contracts, or other agreements of the state or its agencies with private persons, entered into pursuant to state law.

(d) (b) "Maximum current cash flow requirement" means ~~a the commissioner's written estimate by the commissioner of finance~~ of the largest of the amounts by which, on a particular designated date in each month of the term for which certificates are to be issued, the sum of (1) the warrants then outstanding against the general fund plus (2) those that must be drawn ~~thereon on the fund~~ before the same date in the following month, in payment of claims due for expenditure pursuant to under all appropriations and allotments, will exceed the amount of cash or cash equivalent assets held in the general fund on the first of these dates, excluding the proceeds of the certificates to be issued.

Subd. 3 4. [LIMITATIONS OF AMOUNT.] The principal amount of cer-

tificates of indebtedness to be issued at any time ~~shall~~ *must* not exceed the ~~smallest~~ *smaller* of the following:

(a) (1) An amount which, with interest thereon to maturity, added to the then outstanding amount of certificates, ~~less the amount thereof, if any, which will be not simultaneously paid from the proceeds, and interest thereon to maturity and retired,~~ will equal the then unexpended balance of all money which will be credited to the general fund during the current biennium under existing laws, as estimated by the commissioner of finance; or

(b) (2) The maximum current cash flow requirement.

Subd. 4 5. [TERMS.] The commissioner of finance may establish by order in accordance with the provisions of this section, and with the approval of the attorney general, but not subject to the provisions of sections 14.02, 14.04 to 14.36, 14.38, 14.44 to 14.45, and 14.57 to 14.62, the principal amount of each series of certificates of indebtedness; the time or times and terms of sale; the denominations and form; whether registered or payable to bearer, with or without interest coupons; the interest rate or rates or the basis of computation of a variable rate; the maturity date or dates and amounts; the provisions, if any, for redemption at times and prices and upon notice specified; a place or places of payment which may be suitable financial institutions within or outside the state; any provisions for registration of ownership of principal, or both principal and interest; and for transfer and exchange; and any other terms the commissioner may determine with the approval of the attorney general. All certificates shall mature not later than the end of the biennium in which they are issued chapter 14, the terms of each series of certificates of indebtedness including:

(1) the manner of sale under subdivision 6;

(2) the price, principal amount, and date of issue;

(3) the interest rate or rates and payment dates, or the basis of computation of a variable rate;

(4) the maturity date or dates, within the current biennium except as provided in subdivision 10;

(5) the terms, if any, of redemption before maturity;

(6) the form and method of execution, delivery, payment, registration, conversion, and exchange, under section 16A.672.

Subd. 5 6. [SALE.] Certificates of indebtedness may be sold by the commissioner of finance upon public advertisement for competitive bids, or, in any of the ways listed in paragraphs (a) to (e).

(a) They may be sold to the state board of investment without advertisement for bids; upon terms at least as favorable as those on which, in the judgment of the board, direct obligations of the United States government of comparable maturities can at the time be purchased from funds under its control, including the special or dedicated funds described in clause (e) of subdivision 2, other than pension funds; The commissioner may advertise for competitive bids.

(b) The commissioner may negotiate contracts with a suitable bank or banks within or outside the state for a line in or out of state to establish lines of credit whereby, for an agreed compensation, The contracts must provide

*that the commissioner may issue certificates of indebtedness may be issued from time to time up to a maximum outstanding amount within an agreed period, bearing interest at a fixed or variable interest rate and. The certificates must be subject to redemption at par plus accrued interest at any time at the commissioner's option of the commissioner; or.*

(c) The commissioner may negotiate contracts with a firm or firms of underwriters for the that will purchase of certificates of indebtedness or to act as an agent agents in the placement of certificates of indebtedness, which issued within an agreed period, up to a maximum amount outstanding. The certificates may be sold to the underwriters or investors (1) at a specified an agreed discount representing with the interest included in the face amount payable at maturity, or (2) bearing interest at a stated interest rate on a stated principal the face amount, payable on one or more dates. For the further security of the these certificates of indebtedness the commissioner may negotiate a agreements for lines of credit agreement pursuant to under paragraph (b), providing for the payment thereof to pay the certificates with interest to maturity, if necessary, by the issuance of new certificates of indebtedness to the bank or banks extending the under the lines of credit.

Subd. 6. [EXECUTION.] Certificates of indebtedness shall be executed by the signatures of the commissioner of finance and the state treasurer under their official seals, and any attached interest coupons by the signature of the commissioner. The signatures and seals may be printed, lithographed, photoeoped, or stamped, except that at least one officer shall sign manually on the face of each certificate, unless the commissioner designates and the certificate on its face requires a suitable financial institution to authenticate the certificate by the manual signature of its authorized representative.

Subd. 6a. [FISCAL AGENT BANK.] (d) The commissioner may enter into an agreement make contracts for agreed fees with a suitable bank or banks located within or outside the in or out of state to authenticate, issue, pay principal and interest on, cancel or, and otherwise deal as fiscal agents of the state with certificates of indebtedness issued pursuant to this section, for an agreed compensation under paragraphs (a), (b), or (c).

(e) The commissioner may sell certificates of indebtedness to the state board of investment without advertising for bids. The board must determine that the terms are not less favorable than those available at the time for the purchase of direct obligations of the federal government or its agencies, of comparable maturities. The board may purchase the certificates with any money under its control except money in a pension fund.

Subd. 7. [APPROPRIATION OF PROCEEDS.] The proceeds of all certificates of indebtedness issued pursuant to this section are appropriated to must be deposited in the general fund, and shall be available for expenditure pursuant to spending under any appropriation from that fund for any purpose, including those referred subject to in subdivision 8 9.

Subd. 8. [APPROPRIATION AND ACCOUNTING FOR PAYMENT OF CERTIFICATES AND COSTS EXPENSES FROM THE GENERAL FUND.] The principal of and interest and premium, if any, on all certificates of indebtedness issued hereunder, and all expenses incidental to the sale, guaranty of sale, placement, printing, execution, authorization, registration, and delivery thereof, including but not limited to actual and necessary travel and subsistence expenses of state officers and employees, and costs arising from lines of credit obtained with respect to outstanding debt shall be paid from the general fund and shall be included in the computation of current cash flow

requirements and of amounts available for allotment pursuant to appropriations, and The amounts necessary needed for these the purposes in this subdivision are appropriated and must be paid from the general fund. These appropriations are irrevocable and shall not be canceled. They must be included in the computation of current cash flow requirements and of amounts available for allotment. The purposes of the appropriations are:

(1) payment of the principal of and interest and premium, if any, on all certificates when due;

(2) actual and necessary travel and subsistence expenses of state officers and employees and other expenses incidental to the sale or placement, printing, execution, and delivery of certificates; and

(3) costs of lines of credit.

Subd. 9. [PRIORITY OF CERTIFICATE PAYMENTS; COVENANTS.]

(a) The proceeds of certificates of indebtedness issued in whole or in part to refund outstanding certificates and interest as authorized in the constitution are available only for that purpose until the refunded certificates and interest are paid.

(b) The commissioner of finance may enter into a covenant by order, on behalf of the state, for the security of the holders of any certificates of indebtedness, for the segregation of, to segregate cash and cash equivalent assets in a special account within the general fund for the payment of interest, principal, and premium, if any, in the amounts and at the times in advance of the due dates that the commissioner determines to be advisable for the state in marketing the certificates of indebtedness, and to take action required act under section 16A.15, subdivision 1, to enable the performance of perform the covenant. The amount in the account is available only to pay the principal of and interest and premium, if any, on the certificates referred to in the order.

Subd. 9 10. [BIENNIAL CASH DEFICIENCY COVENANT TO REFUND.] If cash and cash equivalent amounts held assets in the general fund on the date on which any certificates of indebtedness come due, in excess of the amount of outstanding warrants then outstanding, are is not sufficient to pay all such any certificates of indebtedness and any or interest when due thereon, the deficiency may be paid by the issuance of, the commissioner may issue refunding certificates of indebtedness maturing not later than December 1 in the ensuing next calendar year to pay the deficiency. The commissioner, With the approval of the governor, the commissioner may enter into a covenant on behalf of the state that such, in the order issuing any certificates, to offer refunding certificates of indebtedness will be offered for sale in the event if a deficiency is anticipated expected.

Subd. 11. [CONSTITUTIONAL TAX LEVY.] If cash and cash equivalent amounts held assets in the general fund in excess of the amount of outstanding warrants, on December 1 immediately following the close of the a biennium, in excess of warrants then outstanding, are is not sufficient to pay:

(1) all such refunding certificates of indebtedness and any ;

(2) all other certificates of indebtedness outstanding at the end of the biennium and not refunded, with; and

(3) all interest then accrued thereon, on the certificates referred to in clauses (1) and (2);

the state auditor shall levy upon all taxable property in the state a the tax

required by the constitution, article XI, section 6, collectible in the ~~ensuing~~ next calendar year and sufficient to pay ~~the same~~ all amounts described in clauses (1), (2), and (3) on or before December 1 in the ~~ensuing~~ collection year with interest to the date or dates of payment.

Sec. 38. Minnesota Statutes 1983 Supplement, section 16A.672, is amended to read:

16A.672 [BONDS AND CERTIFICATES OF INDEBTEDNESS.]

Subdivision 1. ~~[GENERAL AUTHORITY.]~~ ~~Notwithstanding any contrary provision of other law,~~ The commissioner of finance and the state treasurer shall have the powers specified in this section with respect to the issuance, form, execution, delivery, registration of transfer and exchange, and payment of may issue, execute, deliver, register, and pay bonds and certificates of indebtedness heretofore or hereafter in the form and manner provided in this section, when authorized to be issued or issued by the state under section 16A.641 or 16A.671.

Subd. 2. ~~[FORM OF OBLIGATIONS APPLICATION OF COMMERCIAL CODE.]~~ The bonds or certificates of indebtedness may be issued in bearer form with interest coupons attached, with or without provision for registration as to principal only, or in fully registered form, in one or more denominations, and with provisions for conversion of form, exchange of denominations, and transfer of ownership as prescribed by the commissioner of finance. All bonds and certificates of indebtedness, when issued according to orders of the commissioner of finance, shall be are securities within the meaning of under sections 336.8-101 to 336.8-408, and. The commissioner of finance and the state treasurer may do on behalf of for the state all acts and things which are permitted or required of issuers of securities whatever may or must be done under those sections 336.8-101 to 336.8-408 and are consistent to comply with the orders authorizing them. The bonds or certificates may be issued:

(1) in one or more denominations;

(2) in bearer form, with interest coupons attached; and

(3) with provision for registration as to principal only; or

(4) in fully registered form; and

(5) with provision for registration of conversion and exchange of forms and denominations, transfer of ownership, and replacement of lost or damaged bonds.

Subd. 3. ~~[PREPARATION AND EXECUTION.]~~ The (a) Bonds or and certificates of indebtedness may be printed, lithographed, or otherwise reproduced in the style and form the commissioner prescribes, but the form shall. They may state in a general way the purpose for which they are issued and the security provided for their payment or may incorporate the authorizing order by reference.

Subd. 3. ~~[EXECUTION OF OBLIGATIONS.]~~ The bonds and certificates of indebtedness shall (b) They must be executed by the commissioner of finance and attested by the state treasurer under their official seals. Facsimile The signatures and seals of either or both of these officers may, as the commis-

sioner of finance deems appropriate, be printed, lithographed, stamped, engraved, or otherwise reproduced. Every facsimile, but no bond and or certificate issued, whether initially or upon transfer, exchange, or replacement, shall be is valid for any purpose unless it is manually signed on its face by one of these officers, the commissioner or treasurer or by a duly authorized representative of a bank or trust company designated named by order of the commissioner of finance, whether at or after the time of initial issue, as registrar or otherwise as an agent of the state to authenticate it.

Subd. 4. [DELIVERY OF OBLIGATIONS.] The commissioner of finance may appoint name a bank or trust company within or outside in or out of the state to act as delivery the state's agent on behalf of the state, and to deliver the bonds or certificates of indebtedness to the initial purchaser upon payment therefor of the purchase price.

Subd. 5. [REGISTRAR.] The commissioner of finance, in the order for the issuance of to issue any bonds or certificates of indebtedness, may designate name a corporate registrar to perform on behalf of act for the state the duties of a registrar as set forth in under sections 336.8-101 to 336.8-408, including but not limited to authentication and delivery and to authenticate and deliver obligations upon initial issuance and upon registration of transfer, exchange, or conversion into another form. Any The registrar shall must be an incorporated bank or trust company, within or outside in or out of the state, authorized by the laws of the United States or of the state in which it is located to perform these duties.

Subd. 6. [PAYMENT OF OBLIGATIONS.] The order authorizing the issuance of any bonds or certificates of indebtedness to be issued may provide for the payment of principal and interest in the manner and by the means contain provisions that the commissioner deems considers necessary to ensure full and prompt payment of principal and interest when due, and. The order may provide for the payment at the office of a bank or trust company within or outside in or out of the state. In the case of fully registered bonds or certificates of indebtedness, The order may provide that the interest coming due on any interest payment date shall be is payable to the person or entity who is shown as the registered owner on of the bond or certificate in the register on a specified date preceding the interest payment date, by check, draft, or other transfer to the order of the registered that owner.

Subd. 7. [AGREEMENTS.] The commissioner of finance may enter into make agreements containing terms which are necessary or desirable to carry out the authority given him in this section, pursuant to applicable orders of the commissioner issued under this section. The agreements may provide for the payment of compensation paying for services to be performed and expenses to be incurred on behalf of the state, and may provide for their payment from the:

- (1) proceeds of the bonds or certificates of indebtedness, or from;
- (2) other money appropriated to the commissioner of finance, or from;
- (3) charges to be imposed on the holders of the bonds or certificates of indebtedness,; or from
- (4) a combination of these sources in clauses (1), (2), and (3).

Subd. 8. [APPROPRIATIONS.] As much of The proceeds of the bonds or

certificates as necessary is under subdivision 7 are appropriated for this purpose as necessary to pay expenses incurred under that subdivision.

Subd. 8 9. [APPROPRIATION.] There is appropriated annually to the commissioner of finance from the general fund in the state treasury an amount of The money sufficient needed to pay when due all the compensation and expenses due to of registrars, delivery agents, and paying agents for state bonds and certificates of indebtedness under the terms of agreements entered into according to subdivision 7 is appropriated annually to the commissioner from the general fund.

Subd. 9 10. [APPROVAL BY ATTORNEY GENERAL.] No An agreement described in under subdivision 7 shall become is not effective until it has been approved as to form and execution by the state attorney general or his designee.

Subd. 40 11. [REGISTRATION DATA PRIVATE NOT PUBLIC INFORMATION.] All Information contained in any register maintained by the state treasurer or a corporate registrar with respect to the of ownership of state bonds or certificates of indebtedness constitutes is nonpublic data as defined in under section 13.02, subdivision 9, or private data on individuals as defined in under section 13.02, subdivision 12. The information is not public and is accessible open only to the individual, corporation, or other entity which is the subject of it, except as disclosure:

(a) (1) is necessary for the performance of the duties of the registrar, the state commissioner of finance, the state treasurer, or the state legislative auditor; to perform a duty; or

(b) (2) is requested by an authorized representative of the state commissioner of revenue or, the state attorney general, or of the United States commissioner of internal revenue of the United States for the purpose of ascertaining to determine the application of any estate, inheritance, or other a tax; or

(c) (3) is required under section 13.03, subdivision 4.

Sec. 39. Minnesota Statutes 1982, section 16A.675, is amended to read:

16A.675 [BONDS AND NOTES; NONLIABILITY OF INDIVIDUALS PERSONS EXECUTING OBLIGATIONS NOT LIABLE.]

Neither the commissioner of finance nor any No officer or other person executing state bonds or notes shall be certificates is liable personally on the bonds or notes or be subject to any personal liability them or accountability accountable by reason of the issuance of issuing them.

Sec. 40. Minnesota Statutes 1982, section 85A.04, subdivision 3, is amended to read:

Subd. 3. [ZOO GIFT STORE CONCESSION ACCOUNT.] A working capital concession account is established for the gift store of the Minnesota zoological garden. Concessions are the sale of all goods and services other than admissions, parking, food concessions, and equipment rentals. All concession receipts from the gift store operation shall be deposited in the state treasury and credited to the account and are appropriated for the purposes of the gift store concession operations. Gift store Concession expenses, including inventory, personnel costs, space rental, and overhead, shall be paid from the account. The unencumbered balance in the account on June 30 of each year in excess of the value of the inventory of the gift store on June 30,

~~1981 shall be calculated and disbursed as follows: For the periods years ending June 30, 1982, and June 30, 1983, the entire amount net income from concession operations reported on the income statement in the Minnesota zoological garden annual financial report shall be transferred to the general funds. For the year ending June 30, 1984, and each year thereafter, the amount attributable to the period July 1, 1982, to June 30, 1983, shall be transferred to the general fund and the remainder net income shall be retained by the zoological garden. Any The amount so retained shall be dedicated to is appropriated for capital improvements at the zoological garden and are appropriated for that purpose. If improvements or expansions are planned for the gift store operation to be paid with gift store receipts, the plan must be first approved by the governor after receiving the recommendation of the legislative advisory commission. The board shall include a report on the capital improvements in the report required by section 85A.02, subdivision 12.~~

Sec. 41. Minnesota Statutes 1982, section 115.03, subdivision 1, is amended to read:

Subdivision 1. The agency is hereby given and charged with the following powers and duties:

(a) To administer and enforce all laws relating to the pollution of any of the waters of the state;

(b) To investigate the extent, character, and effect of the pollution of the waters of this state and to gather data and information necessary or desirable in the administration or enforcement of pollution laws, and to make such classification of the waters of the state as it may deem advisable;

(c) To establish and alter such reasonable pollution standards for any waters of the state in relation to the public use to which they are or may be put as it shall deem necessary for the purposes of this chapter and, with respect to the pollution of waters of the state, chapter 116;

(d) To encourage waste treatment, including advanced waste treatment, instead of stream low-flow augmentation for dilution purposes to control and prevent pollution;

(e) To adopt, issue, reissue, modify, deny, or revoke, enter into or enforce reasonable orders, permits, variances, standards, regulations, schedules of compliance, and stipulation agreements, under such conditions as it may prescribe, in order to prevent, control or abate water pollution, or for the installation or operation of disposal systems or parts thereof, or for other equipment and facilities;

(1) Requiring the discontinuance of the discharge of sewage, industrial waste or other wastes into any waters of the state resulting in pollution in excess of the applicable pollution standard established under this chapter;

(2) Prohibiting or directing the abatement of any discharge of sewage, industrial waste, or other wastes, into any waters of the state or the deposit thereof or the discharge into any municipal disposal system where the same is likely to get into any waters of the state in violation of this chapter and, with respect to the pollution of waters of the state, chapter 116, or standards or regulations promulgated or permits issued pursuant thereto, and specifying the schedule of compliance within which such prohibition or abatement



must be accomplished;

(3) Prohibiting the storage of any liquid or solid substance or other pollutant in a manner which does not reasonably assure proper retention against entry into any waters of the state that would be likely to pollute any waters of the state;

(4) Requiring the construction, installation, maintenance, and operation by any person of any disposal system or any part thereof, or other equipment and facilities, or the reconstruction, alteration, or enlargement of its existing disposal system or any part thereof, or the adoption of other remedial measures to prevent, control or abate any discharge or deposit of sewage, industrial waste or other wastes by any person;

(5) Establishing, and from time to time revising, standards of performance for new sources taking into consideration, among other things, classes, types, sizes, and categories of sources, processes, pollution control technology, cost of achieving such effluent reduction, and any non-water quality environmental impact and energy requirements. Said standards of performance for new sources shall encompass those standards for the control of the discharge of pollutants which reflect the greatest degree of effluent reduction which the agency determines to be achievable through application of the best available demonstrated control technology, processes, operating methods, or other alternatives, including, where practicable, a standard permitting no discharge of pollutants. New sources shall encompass buildings, structures, facilities, or installations from which there is or may be the discharge of pollutants, the construction of which is commenced after the publication by the agency of proposed regulations prescribing a standard of performance which will be applicable to such source. Notwithstanding any other provision of the law of this state, any point source the construction of which is commenced after May 20, 1973 and which is so constructed as to meet all applicable standards of performance for new sources shall, consistent with and subject to the provisions of section 306(d) of the Amendments of 1972 to the Federal Water Pollution Control Act, not be subject to any more stringent standard of performance for new sources during a ten-year period beginning on the date of completion of such construction or during the period of depreciation or amortization of such facility for the purposes of section 167 or 169, or both, of the Federal Internal Revenue Code of 1954, whichever period ends first. Construction shall encompass any placement, assembly, or installation of facilities or equipment, including contractual obligations to purchase such facilities or equipment, at the premises where such equipment will be used, including preparation work at such premises;

(6) Establishing and revising pretreatment standards to prevent or abate the discharge of any pollutant into any publicly owned disposal system, which pollutant interferes with, passes through, or otherwise is incompatible with such disposal system;

(7) Requiring the owner or operator of any disposal system or any point source to establish and maintain such records, make such reports, install, use, and maintain such monitoring equipment or methods, including where appropriate biological monitoring methods, sample such effluents in accordance with such methods, at such locations, at such intervals, and in such a manner as the agency shall prescribe, and providing such other information

as the agency may reasonably require;

(8) Notwithstanding any other provision of this chapter, and with respect to the pollution of waters of the state, chapter 116, requiring the achievement of more stringent limitations than otherwise imposed by effluent limitations in order to meet any applicable water quality standard by establishing new effluent limitations, based upon section 115.01, subdivision 5, clause (b), including alternative effluent control strategies for any point source or group of point sources to insure the integrity of water quality classifications, whenever the agency determines that discharges of pollutants from such point source or sources, with the application of effluent limitations required to comply with any standard of best available technology, would interfere with the attainment or maintenance of the water quality classification in a specific portion of the waters of the state. Prior to establishment of any such effluent limitation, the agency shall hold a public hearing to determine the relationship of the economic and social costs of achieving such limitation or limitations, including any economic or social dislocation in the affected community or communities, to the social and economic benefits to be obtained and to determine whether or not such effluent limitation can be implemented with available technology or other alternative control strategies. If a person affected by such limitation demonstrates at such hearing that, whether or not such technology or other alternative control strategies are available, there is no reasonable relationship between the economic and social costs and the benefits to be obtained, such limitation shall not become effective and shall be adjusted as it applies to such person;

(9) Modifying, in its discretion, any requirement or limitation based upon best available technology with respect to any point source for which a permit application is filed after July 1, 1977 upon a showing by the owner or operator of such point source satisfactory to the agency that such modified requirements will represent the maximum use of technology within the economic capability of the owner or operator and will result in reasonable further progress toward the elimination of the discharge of pollutants-;

(f) To require to be submitted and to approve plans and specifications for disposal systems or point sources, or any part thereof and to inspect the construction thereof for compliance with the approved plans and specifications thereof;

(g) To prescribe and alter rules and regulations, not inconsistent with law, for the conduct of the agency and other matters within the scope of the powers granted to and imposed upon it by this chapter and, with respect to pollution of waters of the state, in chapter 116, provided that every rule or regulation affecting any other department or agency of the state or any person other than a member or employee of the agency shall be filed with the secretary of state;

(h) To conduct such investigations, issue such notices, public and otherwise, and hold such hearings as are necessary or which it may deem advisable for the discharge of its duties under this chapter and, with respect to the pollution of waters of the state, under chapter 116, including, but not limited to, the issuance of permits, and to authorize any member, employee, or agent appointed by it to conduct such investigations or, issue such notices and hold such hearings;

(i) For the purpose of water pollution control planning by the state and pursuant to the Federal Water Pollution Control Act, as amended, to establish and revise planning areas, adopt plans and programs and continuing planning processes, including, but not limited to, basin plans and areawide waste treatment management plans, and to provide for the implementation of any such plans by means of, including, but not limited to, standards, plan elements, procedures for revision, intergovernmental cooperation, residual treatment process waste controls, and needs inventory and ranking for construction of disposal systems;

(j) To train water pollution control personnel, and charge such fees therefor as are necessary to cover the agency's costs. All such fees received shall be paid into the state treasury and credited to the water pollution control training fund of the agency, from which the agency shall have the power to make disbursements to pay expenses relating to such training;

(k) To impose as additional conditions in permits to publicly owned disposal systems appropriate measures to insure compliance by industrial and other users with any pretreatment standard, including, but not limited to, those related to toxic pollutants, and any system of user charges ratably as is hereby required under state law or said Federal Water Pollution Control Act, as amended, or any regulations or guidelines promulgated thereunder; and

(l) To set a period not to exceed five years for the duration of any National Pollutant Discharge Elimination System permit; and

*(m) To require a governmental subdivision that owns or operates a wastewater disposal system to have a plan to address its ability to pay the costs of making major repairs to the existing system and planning and constructing an adequate replacement system at the end of the existing system's expected useful life.*

Sec. 42. Minnesota Statutes 1982, section 116.16, subdivision 2, is amended to read:

Subd. 2. [DEFINITIONS.] In this section and ~~section~~ sections 116.17 and 116.18:

(1) Agency means the Minnesota pollution control agency created by this chapter;

(2) Municipality means any county, city, and town, the metropolitan waste control commission established in chapter 473 and the metropolitan council when acting under the provisions of that chapter or an Indian tribe or an authorized Indian tribal organization, and any other governmental subdivision of the state responsible by law for the prevention, control, and abatement of water pollution in any area of the state;

(3) Pollution control fund means the Minnesota state water pollution control fund created by subdivision 1;

(4) Bond account means the Minnesota state water pollution control bond account created in the state bond fund by section 116.17, subdivision 4;

(5) Terms defined in section 115.01 have the meanings therein given them;

(6) The eligible cost of any municipal project, except as otherwise provided in ~~clause~~ clauses (7) and (8), includes (a) preliminary planning to determine

the economic, engineering, and environmental feasibility of the project; (b) engineering, architectural, legal, fiscal, economic, sociological, project administrative costs of the agency and the municipality, and other investigations and studies; (c) surveys, designs, plans, working drawings, specifications, procedures, and other actions necessary to the planning, design, and construction of the project; (d) erection, building, acquisition, alteration, remodeling, improvement, and extension of disposal systems; (e) inspection and supervision of construction; and (f) all other expenses of the kinds enumerated in section 475.65.

(7) For state grant purposes hereunder, the eligible cost for grant applicants shall be the eligible cost as determined by the United States environmental protection agency under the Federal Water Pollution Control Act, as amended, 33 U.S.C. 1314, et seq.

*(8) Notwithstanding clause (7), for state grants under the state independent grants program, the eligible cost includes the acquisition of land for stabilization ponds and the provision of reserve capacity sufficient to serve the reasonable needs of the municipality for 20 years in the case of treatment works and 40 years in the case of sewer systems. Notwithstanding clause (7), for state grants under the state independent grants program, the eligible cost does not include the provision of collector sewers as defined in agency rules, the provision of service to seasonal homes, or cost increases from contingencies that exceed three percent of as-bid costs or cost increases from unanticipated site conditions that exceed an additional two percent of as-bid costs.*

Sec. 43. Minnesota Statutes 1982, section 116.16, subdivision 4, is amended to read:

Subd. 4. [DISBURSEMENTS.] Disbursements from the fund shall be made by the state treasurer upon order of the commissioner of finance at the times and in the amounts requested by the agency in accordance with the applicable state and federal laws and regulations and the state appropriation acts law governing such disbursements; except that no appropriation or loan of state funds for any project shall be disbursed to any municipality until and unless the agency has by resolution determined the total estimated cost of the project, and ascertained that financing of the project is assured by:

(1) A grant to the municipality by an agency of the federal government within the amount of funds then appropriated to that agency and allocated by it to projects within the state; or

(2) A grant of funds appropriated by state law; or

(3) A loan authorized by state law; or

(4) The appropriation of proceeds of bonds or other funds of the municipality to a fund for the construction of the project; or

(5) Any or all of the means referred to in paragraphs (1) to (4); and

(6) An irrevocable undertaking, by resolution of the governing body of the municipality, to use all funds so made available exclusively for the construction of the project, and to pay any additional amount by which the cost of the project exceeds the estimate, by the appropriation to the construction fund of additional municipal funds or the proceeds of additional bonds to be

issued by the municipality; and

(7) Conformity of the project and of the loan or grant application with the state water pollution control plan as certified to the federal government and with all other conditions under *applicable state and federal laws and regulations law* for a grant of state or federal funds of the nature and in the amount involved.

Sec. 44. Minnesota Statutes 1982, section 116.16, subdivision 5, is amended to read:

Subd. 5. [RULES.] (a) The agency shall promulgate *permanent rules and may promulgate temporary rules* for the administration of grants and loans authorized to be made from the fund *or from federal funds under the Federal Water Pollution Control Act, as amended*, which rules, however, shall not be applicable to the issuance of bonds by the commissioner of finance as provided in section 116.17. The rules shall contain as a minimum:

(1) procedures for application by municipalities;

(2) conditions for the administration of the grant or loan;

(3) criteria for ~~eligibility~~ *the ranking of projects in order of priority* for grants or loans, ~~including those specified in subdivision 6 based on factors including the extent and nature of pollution, technological feasibility, assurance of proper operation, maintenance and replacement, and participation in multi-municipal systems; and~~

(4) such other matters as the agency and the director find necessary to the proper administration of the grant program.

(b) *Except as otherwise provided in sections 116.16 to 116.18, the rules for the administration of state independent grants must comply, to the extent practicable, with provisions relating directly to protection of the environment contained in the Federal Water Pollution Control Act, as amended, and regulations and guidelines of the United States environmental protection agency promulgated under the act, except provisions regarding allocation contained in section 205 of the act and regulations and guidelines promulgated under section 205 of the act. This provision does not require approval from federal agencies for the issuance of grants or for the construction of projects under the state independent grants program.*

Sec. 45. Minnesota Statutes 1982, section 116.16, subdivision 9, is amended to read:

Subd. 9. [APPLICATIONS.] Applications by municipalities for grants or loans from the fund shall be made to the director of the agency on forms requiring information prescribed by rules of the agency. The director shall certify to the agency those applications which appear to meet the criteria set forth in sections 116.16 to 116.18 and the rules promulgated hereunder, and the agency shall award grants or loans on the basis of the criteria and priorities established in its rules and in sections 116.16 to 116.18. *A municipality that is designated under agency rules to receive state or federal funding for a project and that does not make a timely application for or that refuses the funding is not eligible for either state or federal funding for that project in that fiscal year or the subsequent year.*

Sec. 46. Minnesota Statutes 1982, section 116.16, is amended by adding a

subdivision to read:

*Subd. 9a. [SUBSEQUENT GRANTS.] A municipality awarded a final grant of funding for a project under the program established by the 1972 Federal Water Pollution Control Act amendments or the state independent grants program is not eligible for additional funding to replace that project under the federal program or the state program, unless the funding is necessary as a result of subsequent changes in state water quality standards, effluent limits, or technical design requirements, or for a municipality awarded the final grant before October 1, 1984, if the funding is necessary for the provision of increased capacity.*

Sec. 47. Minnesota Statutes 1982, section 116.18, as amended by Laws 1983, chapter 301, section 117, is amended to read:

**116.18 [WATER POLLUTION CONTROL FUNDS; APPROPRIATIONS AND BONDS.]**

Subdivision 1. [APPROPRIATION FROM THE FUND.] The sum of ~~\$155,000,000~~ \$167,000,000, or so much thereof as may be necessary, is appropriated from the Minnesota state water pollution control fund in the state treasury to the pollution control agency, for the period commencing on July 23, 1971 and ending June 30, 1985, to be granted and disbursed to municipalities and agencies of the state in aid of the construction of projects conforming to section 116.16, in accordance with the rules, priorities, and criteria therein described. ~~Except as otherwise provided in this subdivision and in subdivision 2, these state funds shall be expended at 15 per centum of the eligible cost of construction and shall be expended only~~

*Subd. 2. [STATE MATCHING GRANTS PROGRAM ENDING SEPTEMBER 30, 1984.] (a) For projects tendered, by September 30, 1984, a grant of federal funds under section 201(g), section 202, section 203 or section 206(f) of the Federal Water Pollution Control Act, as amended, 33 U.S.C. 1314 et seq. United States Code, title 33, sections 1251 to 1376, at 75 per centum of the eligible cost for construction of the treatment works, state money appropriated under subdivision 1 must be expended at 15 percent of the eligible cost of construction, except as otherwise provided in this subdivision; provided, that not less than ten percent of the cost shall be paid by the municipality or agency constructing the project. In the event that a municipality is tendered federal and state grants in a percentage cumulatively exceeding 90 per centum of the eligible cost of construction, the state pollution control agency shall reduce the grant to the municipality under this chapter to the extent necessary to assure that not less than ten percent of the cost shall be paid by the municipality. It is the purpose of this appropriation that a grant of state funds for each project approved in each of the fiscal years ending June 30, 1971 through 1985, shall be made in an amount not less than that required in federal law and regulations as a condition for the grant of federal funds for the project and for all other water pollution control projects for which federal grants are allocated in the same year, in the maximum amount permissible under law and regulations.*

*Notwithstanding any other provision, the agency may, in its discretion, and after consideration of the amount of state funds required to match federal funds, make a grant of state funds not exceeding 15 per centum to a municipality that would qualify for a grant of federal funds but desires to initiate*

construction of a project without a federal grant. The agency may limit the scope and eligible cost of the project.

(b) If a municipality is tendered a grant of federal funds under section 201, paragraph (g), section 202, section 203 or section 206, paragraph (f) of the Federal Water Pollution Control Act, as amended, 33 U.S.C. 1314 et seq. *United States Code, title 33, sections 1251 to 1376*, at 85 percent of the eligible cost for construction of treatment works utilizing innovative or alternative wastewater treatment processes and techniques, state funds shall be expended at nine percent of the eligible cost of construction; provided, that not less than six percent of the eligible cost of construction shall be paid by the municipality or agency constructing the project. In the event that a municipality is tendered federal and state grants in a percentage cumulatively exceeding 94 percent of the eligible cost of construction, the state pollution control agency shall reduce the grant to the municipality under this chapter to the extent necessary to assure that the municipality receives no more than 94 percent of the eligible cost of construction.

~~Subd. 2. [ADDITIONAL PURPOSES OF APPROPRIATION.]~~ (c) If the pollution control agency, acting in accordance with section 116.16, subdivision 4 and rules promulgated by the agency establishing criteria for financial hardship cases, determines that the prevention, control, and abatement of water pollution and the public health of the state requires the construction of a project by a municipality or agency that is unable to provide 10 percent of the eligible cost thereof, the funds appropriated in subdivision 1 may be expended to reduce or eliminate its contribution to the eligible cost.

*Subd. 2a. [STATE MATCHING GRANTS PROGRAM BEGINNING OCTOBER 1, 1984.] For projects tendered, on or after October 1, 1984, a grant of federal money under section 201(g), section 202, 203, or 206(f) of the Federal Water Pollution Control Act, as amended, United States Code, title 33, sections 1251 to 1376, at 55 percent or more of the eligible cost for construction of the treatment works, state money appropriated under subdivision 1 must be expended for up to 15 percent of the eligible cost of construction for municipalities for which the construction would otherwise impose significant financial hardship; provided, that not less than 25 percent of the eligible cost must be paid by the municipality or agency constructing the project. If a municipality is tendered federal and state grants in a percentage cumulatively exceeding 75 percent of the eligible cost of construction, the state pollution control agency shall reduce the grant to the municipality under this chapter to the extent necessary to ensure that not less than 25 percent of the eligible cost will be paid by the municipality. The amounts of the matching grants must be based on per connection capital cost, median household income, and per capita adjusted assessed valuation.*

*Subd. 3a. [STATE INDEPENDENT GRANTS PROGRAM.] (a) The agency may award independent grants for projects for 50 percent or, if the agency requires advanced treatment, 65 percent of the eligible cost of construction. The agency may award independent grants for up to an additional 15 percent or, if the agency requires advanced treatment, up to an additional ten percent of the eligible cost of construction to municipalities for which the construction would otherwise impose significant financial hardship; the amounts of the additional grants shall be based on per connection capital cost, median household income, and per capita adjusted assessed valuation.*

*These grants may be awarded in separate steps for planning and design in addition to actual construction. Not more than 20 percent of the total amount of grants awarded under this subdivision in any single fiscal year may be awarded for projects for the control of combined sewer overflow as defined by federal regulation. Until December 31, 1990, not more than 20 percent of the total amount of grants awarded under this subdivision in any single fiscal year may be awarded to a single grantee.*

*(b) Up to ten percent of the money to be awarded as grants under this subdivision in any single fiscal year shall be set aside for municipalities having substantial economic development projects that cannot come to fruition without municipal wastewater treatment improvements. The agency shall forward its municipal needs list to the commissioner of energy and economic development at the beginning of each fiscal year, and the commissioner shall review the list and identify those municipalities having substantial economic development projects. After the first 90 percent of the total available money is allocated to municipalities in accordance with agency priorities, the set-aside shall be used by the agency to award grants to remaining municipalities that have been identified.*

*(c) Grants may also be awarded under this subdivision to reimburse municipalities willing to proceed with projects and apply to be reimbursed in the subsequent year conditioned upon appropriation of sufficient money under subdivision 1 for that year. The maximum amount of the reimbursement the agency may commit in any single fiscal year is equal to the amount newly appropriated under subdivision 1 for that year.*

Subd. 4. [BOND AUTHORIZATION.] For the purpose of providing money appropriated in subdivision 1 for expenditure from the Minnesota state water pollution control fund through grants to municipalities and agencies of the state for the acquisition and betterment of public land, buildings, and improvements of a capital nature needed for the prevention, control, and abatement of water pollution, the commissioner of finance is authorized upon request of the pollution control agency to sell and issue Minnesota state water pollution control bonds in the amount of ~~\$144,000,000~~ \$156,000,000, in the manner and upon the conditions prescribed in section 116.17 and in the Constitution, Article XI, Sections 4 to 7. The proceeds of the bonds, except as provided in section 116.17, subdivision 5, are appropriated and shall be credited to the Minnesota state water pollution control fund. The amount of bonds issued pursuant to this authorization shall not exceed at any time the amount needed to produce a balance in the water pollution control fund equal to the aggregate amount of grants then approved and not previously disbursed, plus the amount of grants to be approved in the current and the following fiscal year, as estimated by the pollution control agency.

Subd. 5. [FEDERAL AND OTHER FUNDS.] All federal and other funds made available for any purpose of the water pollution control fund are also appropriated to that fund.

Subd. 6. [CONTINUANCE OF APPROPRIATIONS.] None of the appropriations made in this section shall lapse until the purpose for which it is made has been accomplished or abandoned. The amount of each grant approved for disbursement from the water pollution control fund shall be and remain appropriated for that purpose until the grant is fully disbursed or part



or all thereof is revoked by the pollution control agency.

Sec. 48. Minnesota Statutes 1983 Supplement, section 116J.926, subdivision 3, is amended to read:

Subd. 3. [MUNICIPAL OBLIGATION.] A loan shall not be made to a municipality until it has entered into an agreement with the state providing that the municipality shall make payments of principal and interest at least equal in the aggregate to the principal amount of the loan plus interest at the rate payable on the state bonds. The annual amounts of the payments shall be determined by the commissioner of finance, and need not coincide with the principal and interest payments on the bonds. However, the amounts due each year shall be payable prior to the times transfers are required to be made pursuant to section ~~16A.65~~ 16A.641. The agreement shall obligate the municipality to levy an ad valorem property tax equal to the amounts necessary to make the payments. The amount required to be levied may be reduced by any other available amounts contained in a special fund dedicated to payment of the loan obligation.

Sec. 49. Minnesota Statutes 1982, section 136.40, subdivision 6, is amended to read:

Subd. 6. [APPROPRIATIONS TO STATE UNIVERSITY BOND ACCOUNT.] All loan payments to be deposited in the state bond fund in accordance with subdivision 2 shall be credited to the state university bond account therein. In order to reduce the amount of taxes otherwise required to be levied, in accordance with section ~~16A.65~~ 16A.641, there shall also be transferred to the state university bond account from the general fund in the state treasury, on November 1 in each year, a sum of money sufficient in amount, when added to the balance then on hand therein, to pay all Minnesota state university bonds and interest thereon due and to become due to and including July 1 in the second ensuing year. All money so credited and all income from the investment thereof is annually appropriated for the payment of such bonds and interest thereon, and shall be available in the state university bond account prior to the levy of the tax in any year required by the Constitution, Article 11, Section 7. The legislature may also appropriate to the state university bond account any other moneys in the state treasury not otherwise appropriated, for the security of Minnesota state university bonds in the event that sufficient money should not be available in the account from the sources herein appropriated, prior to the levy of such tax in any year. The commissioner of finance and treasurer are directed to make the appropriate entries in the accounts of the respective funds.

Sec. 50. Minnesota Statutes 1982, section 475A.03, subdivision 1, is amended to read:

Subdivision 1. The governing body of any municipality, upon compliance with the terms of sections 475A.01 to 475A.06 and approval of the commissioner of finance may, after July 1, 1971 and before May 1, 1984, include in general obligation bonds of the municipality issued for the purpose of providing funds ~~for acquisition to acquire or betterment of~~ to better public lands and buildings and other public improvements of a capital nature, or bonds issued to refund guaranteed bonds, the following statement or such modification thereof consistent with sections 475A.01 to 475A.06 as the secretary shall prescribe:

The payment of this bond and the interest thereon is secured by the state municipal bond guaranty fund in accordance with the Minnesota municipal debt service aid law.

The bonds may also include the designation "secured by the state municipal bond guaranty fund", and the notice of sale of such bonds may include a reference to such guaranty.

Sec. 51. Minnesota Statutes 1982, section 475A.05, subdivision 1, is amended to read:

Subdivision 1. For the purpose of providing money to be loaned to municipalities ~~for the acquisition to acquire and betterment of to better~~ public lands and buildings and other public improvements of a capital nature, when needed to pay the principal of or interest on bonds issued for this purpose, or bonds issued to refund such guaranteed bonds, the municipal bond guaranty loan fund is created as a separate bookkeeping account in the general books of account of the state. All proceeds of state bonds credited to this fund, *all amounts transferred from the general fund*, all guaranty fees received, and all repayments of principal and interest on loans made from the fund are appropriated for construction and other permanent improvement and shall be available until the purposes for which the appropriation was made have been accomplished, except that at any time when the balance on hand in the state municipal bond guaranty fund exceeds ten percent of the principal amount of all then outstanding bonds secured by the fund, the state may reappropriate to the general fund the balance in excess of this amount.

Sec. 52. Minnesota Statutes 1982, section 475A.05, is amended by adding a subdivision to read:

*Subd. 1a. [GENERAL FUND APPROPRIATION.] In order to eliminate the need to sell Minnesota state municipal aid bonds, there is annually appropriated from the general fund to the commissioner of finance for transfer to the municipal bond guaranty loan fund the amounts needed to meet the state's obligations under sections 475A.01 to 475A.06, not to exceed a total of \$4,330,000. This subdivision does not prevent the sale of state municipal aid bonds to the extent that the amount available for transfer from the general fund is not sufficient to meet all the state's obligations under sections 475A.01 to 475A.06.*

Sec. 53. Minnesota Statutes 1982, section 475A.06, subdivision 7, is amended to read:

Subd. 7. The commissioner of finance is authorized to sell and issue Minnesota state municipal aid bonds in an aggregate principal amount not to exceed ~~\$20,000,000~~ \$4,330,000, the proceeds of which, except as provided in subdivision 1, are appropriated to the state municipal bond guaranty fund for the purpose of providing funds to be loaned to municipalities for the acquisition and betterment of public lands and buildings and other public improvements of a capital nature, when needed to pay the principal of or interest on bonds issued for this purpose or bonds issued to refund such guaranteed bonds, in accordance with the provisions of sections 475A.01 to 475A.06. The bonds shall be sold, issued, and secured as provided in subdivisions 1 to 6 and in Article XI, Section 7 of the Constitution.

Sec. 54. Laws 1983, chapter 344, section 6, subdivision 8, is amended to

read:

Subd. 8. ~~Split Rock~~ Baptism River Rest Area 620,000

Sec. 55. [REPEALER.]

*Minnesota Statutes 1982, sections 16A.63; 16A.64, as amended by Laws 1983, chapter 301, sections 94 and 95; 16A.65; and 116.16, subdivisions 6 and 7; and Laws 1981, chapter 275; Laws 1981, chapter 334, section 11, subdivision 4; Laws 1982, chapter 639, section 5, are repealed.*

Sec. 56. [EFFECTIVE DATE.]

*This act is effective the day following final enactment."*

Delete the title and insert:

"A bill for an act relating to capital improvements; authorizing the acquisition and betterment of public land and buildings and other public improvements of a capital nature with certain conditions; reducing and canceling certain appropriations; authorizing issuance of state bonds; appropriating money; amending Minnesota Statutes 1982, sections 16.72, subdivision 7; 16A.54; 16A.66, as amended; 16A.671; 16A.675; 85A.04, subdivision 3; 115.03, subdivision 1; 116.16, subdivisions 2, 4, 5, 9, and by adding a subdivision; 116.18, as amended; 136.40, subdivision 6; 475A.03, subdivision 1; 475A.05, subdivision 1, and by adding a subdivision; 475A.06, subdivision 7; Minnesota Statutes 1983 Supplement, sections 16A.672; 116J.926, subdivision 3; Laws 1983, chapter 344, section 6, subdivision 8; proposing new law coded in Minnesota Statutes, chapter 16A; and repealing Minnesota Statutes 1982, sections 16A.63; 16A.64, as amended by Laws 1983, chapter 301, sections 94 and 95; 16A.65; and 116.16, subdivisions 6 and 7; and Laws 1981, chapter 275; Laws 1981, chapter 334, section 11, subdivision 4; Laws 1982, chapter 639, section 5."

We request adoption of this report and repassage of the bill.

House Conferees: (Signed) David Battaglia, Lyndon R. Carlson, Dick Welch, Henry J. Kalis, Douglas W. Carlson

Senate Conferees: (Signed) Gene Waldorf, Ronald R. Dicklich, Keith Langseth, Clarence M. Purfeerst, Glen Taylor

Mr. Waldorf moved that the foregoing recommendations and Conference Committee Report on H.F. No. 2314 be now adopted, and that the bill be repassed as amended by the Conference Committee. The motion prevailed. So the recommendations and Conference Committee Report were adopted.

H.F. No. 2314 was read the third time, as amended by the Conference Committee, and placed on its repassage.

The question was taken on the repassage of the bill, as amended by the Conference Committee.

The roll was called, and there were yeas 59 and nays 2, as follows:

Those who voted in the affirmative were:

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

Messrs. Benson and Kamrath voted in the negative.

So the bill, as amended by the Conference Committee, was repassed and its title was agreed to.

### SPECIAL ORDER

H.F. No. 2051: A bill for an act relating to agriculture; authorizing the energy and economic development authority to purchase, make, or participate in farm loans and to issue bonds or notes for this purpose; amending Minnesota Statutes 1982, sections 116J.88, by adding a subdivision; 116J.90, by adding subdivisions; Minnesota Statutes 1983 Supplement, sections 116J.88, subdivisions 7 and 7a; and 116J.90, subdivision 3.

### SUSPENSION OF RULES

Mr. Stumpf moved that an urgency be declared within the meaning of Article IV, Section 19, of the Constitution of Minnesota, with respect to H.F. No. 2051 and that the rules of the Senate be so far suspended as to give H.F. No. 2051, now on Special Orders, its third reading and place it on its final passage. The motion prevailed.

Mr. Stumpf moved to amend H.F. No. 2051, as amended pursuant to Rule 49, adopted by the Senate April 18, 1984, as follows:

(The text of the amended House File is identical to S.F. No. 1457.)

Page 1, after line 11, insert:

“Section 1. Minnesota Statutes 1983 Supplement, section 116J.88, is amended by adding a subdivision to read:

*Subd. 4a. [LENDER.] “Lender” means a financial institution that participates in a loan-to-lender program of the authority.*

Sec. 2. Minnesota Statutes 1983 Supplement, section 116J.88, is amended by adding a subdivision to read:

*Subd. 4b. [LOAN-TO-LENDER.] “Loan-to-lender” means a loan of money to a financial institution.*

Sec. 3. Minnesota Statutes 1983 Supplement, section 116J.90, subdivision 1, is amended to read:

Subdivision 1. [GENERALLY.] The authority may make or purchase or participate with financial institutions in making or purchasing business loans, small business loans, energy loans, pollution control loans, and farm loans

upon the conditions described in this section, and may enter into commitments therefor. *In addition, the authority may engage in loans-to lenders programs with respect to farm loans to the extent set forth in this section.*"

Page 2, line 12, strike "BUSINESS" and reinstate the stricken "FARM"

Page 2, line 13, strike "business loans" and reinstate the stricken "farm loans"

Page 3, after line 32, insert:

"Sec. 11. Minnesota Statutes 1982, section 116J.90, is amended by adding a subdivision to read:

*Subd. 7. [.....] The authority may make to financial institutions loans-to-lenders to provide funds to lenders to make or participate in making, or to reimburse lenders for having made or participating in having made, farm loans of a nature and for purposes as may be approved by the authority. In connection with a loan to a lender, the authority may adopt a plan for the various loan-to-lender programs it may determine to pursue. In connection with a loan-to-lender program, in addition to any other powers the authority has, the authority has the following powers:*

*(a) The authority may limit the type of loan to be included within a loan-to-lender program and may specify the necessary characteristics of loans to be included in the program.*

*(b) The authority may specify the type of lenders that may participate in a loan-to-lender program.*

*(c) The authority may invest in, purchase, participate in the purchase, make commitments for the purchase or participation in the purchase, and take assignments from lenders of loans.*

*(d) The authority may make loans and commitments for loans-to-lenders.*

*(e) The authority may require that no loan or interest in a loan purchased from a lender is eligible for purchase or commitment to purchase by the authority unless, at or before the time of transfer of the loan to the authority, the lender certifies that in its judgment the loan would in all respects be a prudent investment at the purchase price paid.*

*(f) The authority may require, as a condition of a loan to a lender, that the lender invests the proceeds of the loan to a lender in loans of a given type, nature, and purpose and upon the terms and conditions and secured as the authority may require.*

*(g) The authority may require, as a condition of purchase or commitment to purchase loans or interest in loans, that these loans are made upon the terms and conditions and secured as the authority may require, and that the proceeds of the purchase, or their equivalent, be invested in loans upon the terms and conditions and secured as the authority may require.*

*(h) In conjunction with the purchase of these loans or interest in these loans from lenders, the authority may require the lender to furnish collateral security in an amount as the authority shall determine to be necessary to assure the payment of these loans and interest in these loans as the loans become due. This collateral security may consist of obligations, mortgages, or security*

*interests satisfactory to the authority.*

*(i) The authority may require that each loan to a lender is a general obligation of the lender and may be additionally secured as to payment of both principal and interest by a pledge of and lien upon collateral security in an amount and of the types as the authority determines to be necessary to assure the payment of these loans and the interest on these loans as the loans become due and payable.*

*(j) Subject to any agreement with holders of bonds, the authority may collect, enforce the collection of, and foreclose on any collateral required by (h) and (i) of this subdivision and acquire or take possession of the collateral and sell it at public or private sale, with or without public bidding, and otherwise deal with the collateral as may be necessary to protect the interest of the authority in the collateral.*

*(k) In addition to the other powers granted by (j), the authority may, with respect to loan purchases and loans-to-lenders, collect and pay reasonable fees and charges and establish the terms and conditions of loan purchases and loans-to-lenders, including, without limitation, terms and conditions as to:*

*(1) reinvestment and commitments to reinvest by lenders of the proceeds of loan purchase or loans;*

*(2) the type, term, interest rate, purchase price, and conditions of loans to be purchased by the authority and of loans to be made by lenders;*

*(3) the warranties, representations, and services of lenders;*

*(4) restrictions as to the interest rates of loans or the return realized from loans to protect against the realization by lenders of excessive financial returns or benefits as determined by prevailing market conditions;*

*(5) consent to the modification of the rate of interest, time of payment of an installment of principal or interest, or other terms of a loan, loan-to-lender, or agreement of any kind to which the authority is a party;*

*(6) include in a loan or loan-to-lender the amounts necessary to pay financing charges, consultant, advisory, and legal fees, and other expenses, including interest charges, as are necessary or incidental to the loan or loan-to-lender;*

*(7) make and execute agreements, contracts, and other instruments necessary or convenient in accordance with the provisions of this subdivision, including contracts with any person, firm, public corporation, governmental agency, or other entity; and*

*(8) other matters related to the purchases of loans and loans-to-lenders deemed necessary by the authority to accomplish the purposes of this subdivision.*

*(l) The authority may require in the case of a lender that any required collateral is lodged with a bank or trust company, located either within or outside the state, designated by the authority as custodian for the collateral. In the absence of this requirement, the authority may require that each lender enters into an agreement with the authority, that contains provisions as the authority deems necessary to identify, maintain, and service the collateral, and that provides that the lender holds the collateral as trustee for the benefit*

*of the authority and is held accountable as the trustee of an express trust for the application and disposition of the collateral, including the income and proceeds from the collateral, solely for the uses and purposes as provided in the agreement. A copy of the agreement and any revisions or supplements to it, which revisions or supplements may, among other things, add to, delete from, or substitute items of collateral pledged by the agreement, must be filed with the secretary of state to perfect the security interest of the authority in the collateral. No filing, recording, possession, or other action under article 9 of the uniform commercial code, or any other law of this state may be required to perfect the security interest of the authority in the collateral. The security interest of the authority in the collateral is deemed perfected, and the trust for the benefit of the authority so created is binding on and after the time of the filing with the secretary of state against all parties having prior unperfected or subsequent security interests or claims of any kind in tort, in contract, or otherwise against the lender. The authority may also establish additional requirements as it deems necessary with respect to the pledging, assigning, setting aside, or holding of collateral and the making of substitutions for the collateral or additions to the collateral and the disposition of income and receipts from the collateral."*

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 5, after the semicolon, insert "authorizing a loan-to-lender program;"

Page 1, line 8, after "7a" insert ", and by adding subdivisions"

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

The motion prevailed. So the amendment was adopted.

Mr. Pogemiller moved to amend H.F. No. 2051, as amended pursuant to Rule 49, adopted by the Senate April 18, 1984, as follows:

(The text of the amended House File is identical to S.F. No. 1457.)

Page 3, after line 32, insert:

"Sec. 8. [474.25] [FEDERAL LIMITATION ACT.]

*The allocation of bonding authority provided by chapter 474 to the iron range resources and rehabilitation commissioner with respect to a federal limitation act is reduced by \$1,250,000 for calendar year 1984 and is reduced by \$500,000 for calendar year 1985. The allocation of bonding authority provided by chapter 474 for entitlement issuers with respect to a federal limitation act is reduced by \$1,250,000 for calendar year 1984 and is reduced by \$500,000 for calendar year 1985. The allocation of bonding authority provided by chapter 474 to local issuers who are not entitlement issuers with respect to a federal limitation act is reduced by \$1,250,000 for calendar year 1984 and is reduced by \$500,000 for calendar year 1985. The allocation of bonding authority provided by chapter 474 to the department of energy and economic development with respect to a federal limitation act is increased by \$3,750,000 for calendar year 1984 and \$1,500,000 for calendar year 1985. Until August 31 the department of energy and economic development shall make available at least \$5,000,000 for 1984 and \$6,000,000 for 1985 of its*

*allocation of bonding authority for farm loans authorized by section 116J.90. For the November allocation in each year the commissioner shall approve applications from the department for farm loans to be made pursuant to section 116J.90 in an amount up to \$1,000,000 or the amount remaining to be allocated, whichever is less, prior to approving other applications."*

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 5, after the semicolon, insert "allocating bonding authority pursuant to a federal limitation act;"

Page 1, line 9, before the period, insert "; proposing new law coded in Minnesota Statutes, chapter 474"

The motion prevailed. So the amendment was adopted.

H.F. No. 2051 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 50 and nays 2, as follows:

Those who voted in the affirmative were:

Adkins	Dicklich	Kamrath	Merriam	Schmitz
Anderson	Diessner	Knaak	Moe, R. D.	Sieloff
Belanger	Frank	Knutson	Nelson	Solon
Benson	Frederick	Kronebusch	Pehler	Storm
Berg	Frederickson	Laidig	Peterson, C.C.	Stumpf
Bertram	Freeman	Langseth	Peterson, D.C.	Taylor
Brataas	Hughes	Lantry	Peterson, D.L.	Vega
Chmielewski	Isackson	Lessard	Pogemiller	Waldorf
Dahl	Johnson, D.E.	Luther	Ramstad	Wegscheid
Davis	Jude	Mehrkins	Reichgott	Willet

Messrs. Dieterich and Petty voted in the negative.

So the bill, as amended, 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.

### 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. 1563: A bill for an act relating to labor; extending the statute of limitation on certain actions to recover wages or overtime; clarifying child labor penalties; amending Minnesota Statutes 1982, section 541.07; Minnesota Statutes 1983 Supplement, section 181A.12, subdivision 1.

Senate File No. 1563 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives



Returned April 18, 1984

Mr. Chmielewski moved that the Senate do not concur in the amendments by the House to S.F. No. 1563, 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.

Mr. President:

I have the honor to announce that the House refuses to concur in the Senate amendments to House File No. 1743:

H.F. No. 1743: A bill for an act relating to occupations and professions; removing an auctioneer's exemption from real estate brokers and salespersons licensing; amending Minnesota Statutes 1983 Supplement, section 82.18.

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

Sparby, Sarna and Heinitz have been appointed as such committee on the part of the House.

House File No. 1743 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 18, 1984

Mr. Merriam moved that the Senate accede to the request of the House for a Conference Committee on H.F. No. 1743, and that a Conference Committee of 3 members be appointed by the Subcommittee on Committees on the part of the Senate, to act with a like Conference Committee appointed on the part of the House. The motion prevailed.

Mr. President:

I have the honor to announce that the House refuses to concur in the Senate amendments to House File No. 1279:

H.F. No. 1279: A bill for an act relating to crimes; clarifying the crime of contributing to the delinquency of a minor; providing for the admissibility of certain statements as evidence; expanding the definitions of sexual contact and coercion; increasing the age limit of minor victims protected under criminal sexual conduct offenses; clarifying certain terms; amending Minnesota Statutes 1982, sections 595.02; 609.341, subdivisions 11 and 14; 609.346; 609.347, subdivision 3; 609.364, subdivision 9; and 626.556, subdivision 8; Minnesota Statutes 1983 Supplement, sections 260.315; 609.342; and 609.343; proposing new law coded in Minnesota Statutes, chapter 260.

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

Levi, Vanasek and Clark, J. have been appointed as such committee on the part of the House.

House File No. 1279 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 18, 1984

Mr. Petty moved that the Senate accede to the request of the House for a Conference Committee on H.F. No. 1279, and that a Conference Committee of 3 members be appointed by the Subcommittee on Committees on the part of the Senate, to act with a like Conference Committee appointed on the part of the House. The motion prevailed.

### 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:

S.F. No. 1563: Messrs. Chmielewski, Frederick and Lessard.

H.F. No. 1279: Messrs. Petty, Merriam and Sieloff.

H.F. No. 1743: Messrs. Merriam; Johnson, D.E. and Stumpf.

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

### MEMBERS EXCUSED

Ms. Reichgott was excused from the Session of Tuesday, April 17, from 9:00 p.m. to 12:10 a.m. today. Messrs. Dahl, Purfeerst and Waldorf were excused from the Session of today at 10:00 a.m. Ms. Berglin was excused from the Session of today from 11:00 to 11:15 a.m. Ms. Reichgott was excused from the Session of today from 11:30 a.m. to 12:10 p.m. and from 12:30 to 1:00 p.m. Mr. Pehler was excused from the Session of today from 11:15 a.m. to 1:15 p.m. Mr. Peterson, R.W. was excused from the Session of today from 11:00 a.m. to 2:30 p.m. Mr. Frank was excused from the Session of today from 11:40 a.m. to 12:20 p.m. Mr. Pogemiller was excused from the Session of today from 12:00 noon to 1:15 p.m. Ms. Peterson, D.C. was excused from the Session of today from 12:00 noon to 3:30 p.m. Mr. Wegscheid was excused from the Session of today from 1:20 to 2:30 p.m. Mr. Laidig was excused from the Session of today from 4:00 to 5:45 p.m. Ms. Berglin, Mr. Benson and Mrs. Lantry were excused from the Session of today at 5:00 p.m. Mr. Hughes was excused from the Session of today from 6:00 to 6:45 p.m.

### ADJOURNMENT

Mr. Moe, R.D. moved that the Senate do now adjourn until 10:00 a.m., Thursday, April 19, 1984. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate