

TWELFTH DAY

St. Paul, Minnesota, Monday, February 11, 1985

The Senate met at 2:00 p.m. and was called to order by the President.

Prayer was offered by the Chaplain, Rev. Leslie G. Svendsen.

OATH OF OFFICE

The newly elected Senator, Mr. Jim Gustafson from the 8th District, presented his certificate of election and subscribed to the oath of office as administered by the Honorable Earl B. Gustafson, Judge of the Minnesota State Tax Court.

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

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

The President declared a quorum present.

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

EXECUTIVE AND OFFICIAL COMMUNICATIONS

The following communication was received and referred to the committee indicated.

January 29, 1985

The Honorable Jerome M. Hughes
President of the Senate

Dear Sir:

The following appointment to the Minnesota Water Resources Board is hereby respectfully submitted to the Senate for confirmation as required by

law:

Erika Sitz, 6521 - 154th Ln. N.W., Anoka, Anoka County, has been appointed by me, effective January 28, 1985, for a term expiring the first Monday in January, 1989.

(Referred to the Committee on Agriculture and Natural Resources.)

Sincerely,
Rudy Perpich, Governor

MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to announce the passage by the House of the following House File, herewith transmitted: H.F. No. 83.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted Feb. 7, 1985

FIRST READING OF HOUSE BILLS

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

H.F. No. 83: A bill for an act relating to courts; eliminating restrictions on the chief judge's ability to make assignments to juvenile court in Hennepin and Ramsey counties; amending Minnesota Statutes 1984, section 260.019, subdivision 3.

Referred to the Committee on Judiciary.

REPORTS OF COMMITTEES

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

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

S.F. No. 102: A bill for an act relating to natural resources; terms of payment in county timber sales; amending Minnesota Statutes 1984, section 282.04, subdivision 1.

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

Page 1, line 25, strike "remaining" and delete "75"

Page 1, line 25, strike "percent" and insert "balance"

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

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

S.F. No. 263: A bill for an act relating to agriculture; requiring participat-

ing lenders to sign an agreement with the commissioner of commerce; providing a mechanism to aid restructuring of existing farm loans; creating an interest reimbursement program for participating lenders; creating an interest reduction program; providing interest payments to lenders that make interest reduction operating loans to farmers; appropriating money.

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

Delete everything after the enacting clause and insert:

“Section 1. [CITATION.]

Sections 2 to 6 may be cited as the “agricultural credit initiative act.”

Sec. 2. [DEFINITIONS.]

Subdivision 1. [APPLICABILITY.] The definitions in this section apply to sections 2 to 6.

Subd. 2. [CLASSIFIED FARM LOAN.] “Classified farm loan” means a farm loan that the lender determines to have a substantial risk of nonpayment, so that the lender is likely to sustain some loss if the borrower’s paying capacity, net worth, or collateral is not improved. The loan need not already have been classified by a bank examiner.

Subd. 3. [COMMISSIONER.] “Commissioner” means the commissioner of commerce.

Subd. 4. [FARM ADVISOR.] “Farm advisor” means an extension agent, a farm advocate working under the department of agriculture, or an adult farm management instructor under the state board of vocational technical education.

Subd. 5. [FARMER.] “Farmer” means a resident individual, or a domestic family farm corporation defined in section 500.24, engaged in the business of farming property in this state.

Subd. 6. [FARMERS HOME ADMINISTRATION.] “Farmers home administration” means the farmers home administration of the United States department of agriculture.

Subd. 7. [FARM LOAN.] “Farm loan” means a loan for operating expenses or the purchase of property for a farm business.

Subd. 8. [LENDER.] “Lender” means a bank chartered by the state or federal government and a farm credit system lender.

Sec. 3. [QUALIFICATION OF LENDERS.]

To qualify for an interest payment under sections 4 to 6, a lender must first sign an agreement with the commissioner stating that the lender will suspend foreclosure on all farm loans held by the lender for 120 days after the agreement is signed. The commissioner shall enforce the 120-day farm loan foreclosure grace period.

Sec. 4. [INTEREST PAYMENT PROGRAM ON EXISTING FARM LOANS.]

Subdivision 1. [COMMISSIONER PAYS INTEREST.] The commis-

sioner shall pay the interest attributable to the first 60 days, of a 120-day foreclosure grace period, on the first \$25,000 of operating farm loans and the first \$25,000 of ownership farm loans of each borrower submitted by a lender that signs an agreement under section 3 to the farmers home administration for loan guarantees and debt restructuring.

Subd. 2. [INTEREST.] The interest to be paid is the amount that becomes attributable to the first 60-day period after the lender signs the agreement with the commissioner under section 3. The amount to be paid is determined by the loan agreement between the lender and the borrower.

Subd. 3. [CLASSIFIED FARM LOAN REVIEW.] During the first 60 days of the 120-day period after the agreement with the commissioner in section 3 is signed, the lender must review all classified farm loans and determine which farm loans the lender will submit to the farmers home administration for loan guarantees and debt restructuring.

Subd. 4. [LENDER-BORROWER AGREEMENT.] For each farm loan that the lender submits to the farmers home administration for loan guarantees and debt restructuring, the lender and the borrower of the farm loan must sign an agreement. The agreement must:

(1) state that the lender has agreed with the commissioner not to foreclose on any farm loans held by the lender for a 120-day period and specify the dates;

(2) state that the commissioner will pay the interest attributable to the eligible portion of the farm loan submitted to the farmers home administration for the first 60 days of the 120-day foreclosure grace period if the lender qualifies for state interest payment;

(3) state that the borrower is not liable for interest paid by the commissioner;

(4) provide that if the lender qualifies for state interest payment the lender will assume responsibility for the interest attributable to the eligible portion of the farm loan submitted and the borrower is not liable for the interest except as provided in clause (5); and

(5) provide that if the borrower agrees to have the farm loan submitted and the farmers home administration guarantees the loan, the lender may add the interest attributable to the second 60 days of the foreclosure grace period to the principal of the borrower's farm loan.

Subd. 5. [PAYMENT APPLICATION.] The lender must apply to the commissioner for the 60-day state interest payment on a farm loan that is submitted to the farmers home administration. The lender must give the commissioner evidence of the farm loan submitted to the farmers home administration guaranteed loan program and application for the farmers home administration approved lenders program. A lender that complies with this section is qualified to receive payment from the commissioner.

Sec. 5. [INTEREST PAYMENT PROGRAM ON NEW FARM OPERATING LOANS.]

Subdivision 1. [APPLICATION; FARMER CRITERIA.] A farmer may apply to a lender for a farm operating loan on which the state will pay part of

the interest. To be eligible for the state payment, the farmer must have a debt to asset ratio greater than 50 percent and must not have a positive cash flow at a 14.5 percent interest rate.

Subd. 2. [LOAN CRITERIA.] (a) To be eligible for the state interest payment, the farm operating loan must:

(1) be made to a farmer at an interest rate between seven and ten percent per year;

(2) be due and payable within one year after it is made; and

(3) be for operating expenses of the farm business.

(b) The lender may use additional criteria in determining whether to make a farm operating loan to a farmer.

Subd. 3. [LOAN SUBMISSION.] The lender must submit to the commissioner all farm operating loans made by the lender for which the lender requests the state to pay part of the interest. The lender must certify that the approved farm operating loan has been submitted to the farmers home administration for any loan guarantee programs that are available. The commissioner may not pay interest on loans submitted after December 31, 1985.

Subd. 4. [PAYMENT AMOUNT.] The amount of interest paid by the state must be two-thirds of the amount of interest foregone by the lender as a result of the lender making the loan at an interest rate less than 14.5 percent. The interest is payable on the unpaid principal of the first \$50,000 of the loan. The commissioner shall not pay interest in an amount greater than the amount needed to provide a positive cash flow on the loan. The maximum interest payment per farmer may not exceed \$2,500. The commissioner shall pay the interest by March 1, 1986.

Sec. 6. [FORMS AND GUIDELINES.]

Notwithstanding Minnesota Statutes, chapter 14, the commissioner shall adopt and provide guidelines to administer sections 3 to 5 and the forms to be submitted by a lender under sections 4 and 5. The form under section 4 constitutes an application form for interest payment and an agreement to suspend foreclosure on all farm loans. The commissioner shall present a report to the senate agriculture and natural resources committee and the house of representatives agriculture committee containing the guidelines, when adopted.

Sec. 7. [APPROPRIATION.]

\$25,050,000 is appropriated from the general fund to the commissioner of commerce for the following purposes:

(a) For payment of interest on existing farm loans under section 4, to be available until June 30, 1985	\$ 9,200,000
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(b) For payment of interest on new farm operating loans under section 5, to be available until June 30, 1986	15,800,000
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(c) For administration of sections 3 to 5, to be available until June 30, 1986

50,000

(d) If the appropriation for either paragraph (a) or (b) is insufficient, the appropriation for the other is available for it.

Sec. 8. [REPEALER.]

Section 4 is repealed effective July 1, 1985. Sections 1 to 3 and 5 to 7 are repealed effective July 1, 1986.

Sec. 9. [EFFECTIVE DATE.]

This act is effective the day following final enactment."

Delete the title and insert:

"A bill for an act relating to agriculture; providing a mechanism to aid restructuring of existing farm loans; providing for payment of interest on loans to farmers; appropriating money."

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

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

S.F. No. 121: A bill for an act relating to taxation; providing a property tax credit for agricultural property; reducing the assessment ratio on commercial-industrial property; increasing the income limitation in the farm loss modification provision; exempting sales of repair and replacement parts for farm machinery and liquidation sales of farm machinery from sales tax; amending Minnesota Statutes 1984, sections 273.13, subdivision 9; 290.09, subdivision 29; and 297A.25, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 273.

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

Pages 3 to 5, delete section 3

Page 15, line 14, delete everything after the period

Page 15, line 15, delete everything before "Section"

Page 15, line 15, delete "4" and insert "3"

Re-number the sections in sequence

Amend the title as follows:

Page 1, line 4, delete "increasing"

Page 1, delete line 5

Page 1, line 6, delete "provisions;"

Page 1, lines 9 and 10, delete "290.09, subdivision 29;"

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

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

S.F. No. 105: A bill for an act relating to taxation; income; abolishing the farm loss modifications; amending Minnesota Statutes 1984, sections 290.01, subdivisions 20a, 20b, and 20f; 290.05, subdivision 3; 290.09, subdivisions 1 and 7; 290.091; 290.095, subdivisions 7 and 11; 290A.03, subdivision 3; repealing Minnesota Statutes 1984, section 290.09, subdivision 29.

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

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

S.F. No. 85: A bill for an act relating to agriculture; declaring a public economic emergency to exist; prohibiting mortgage foreclosure sales for one year; prohibiting repossession, foreclosure sales, and foreclosure sales of agricultural personal property for one year; providing for an application to the court to allow foreclosure sales; prohibiting actions for deficiency judgments; providing for the parties to compromise; providing legal representation by the attorney general's office for certain persons; and repealing the act after one year.

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

Delete everything after the enacting clause and insert:

“Section 1. [CITATION.]”

Sections 1 to 5 may be cited as the “emergency agricultural relief act of 1985.”

Sec. 2. [LEGISLATIVE FINDINGS.]

The legislature finds that conditions have deteriorated and thousands of farmers will have their land foreclosed and offered at forced sales in the spring of 1985, causing agricultural land prices to fall drastically. The foreclosures and low land prices are causing and will cause extreme stress on rural financial institutions and all rural businesses, particularly those related to agricultural production, and financial panic conditions in areas that affect over one-third of the population of the state.

The legislature finds that agricultural land prices have decreased by over 30 percent in the last five years and that this fact alone would cause grave circumstances in the rural agricultural lending and borrowing community. In addition, real interest rates have increased, crop and livestock prices are not greater than the cost of production, and net farm income is essentially nonexistent. All of these factors and the federal agricultural financial policy have caused a situation beyond the control of Minnesota farmers and lenders resulting in repossession and forced sales of farm equipment and personal property, farm foreclosures and foreclosure sales, that if continued, will cause irreparable harm to the state, its farmers, its lenders, and the social fabric and existence of rural communities.

The legislature finds that provisions for the postponement of advertised sales under Minnesota Statutes, section 580.07, and prior law have been in

existence for over 80 years.

The legislature finds and declares existing relief is inadequate and that these conditions have resulted in a state of public economic emergency of a nature that justifies and validates additional measures for the extension of time before foreclosure and foreclosure sales may be made and for other relief.

Sec. 3. [APPLICATION.]

Subdivision 1. [DATE OF APPLICATION.] Sections 1 to 5 apply to the mortgages and security interests in this section that exist before February 1, 1985.

Subd. 2. [MORTGAGES HELD BY UNITED STATES.] Sections 1 to 5 apply to mortgages of agricultural production real estate held by the United States or by any agency, department, bureau, or instrumentality of the United States, as security or pledge of the mortgagor, its successors, or assigns.

Subd. 3. [MORTGAGES HELD AS SECURITY FOR PUBLIC DEBT.] Sections 1 to 5 apply to mortgages of agricultural production real estate held as security or pledge to secure payment of a public debt or to secure payment of the deposit of public funds.

Subd. 4. [MORTGAGES HELD BY LENDERS.] Sections 1 to 5 apply to all other mortgages of agricultural production real estate that are held by lenders that are in the business of lending money.

Subd. 5. [SECURITY INTERESTS IN AGRICULTURAL PERSONAL PROPERTY.] Sections 1 to 5 apply to all security interests in agricultural crops and livestock, and all personal property used for agricultural production that are held by lenders in the business of lending money.

Sec. 4. [MORATORIUM AND PROHIBITION OF DEFICIENCY JUDGMENTS.]

Subdivision 1. [MORATORIUM.] (a) Mortgages may not be foreclosed, or property sold by forced sale after foreclosure, for one year after sections 1 to 5 become effective, except by court order under section 5.

(b) Agricultural production crops and livestock, and all personal property used for agricultural production may not be repossessed, or security interests in the personal property foreclosed, for one year after sections 1 to 5 become effective unless the debtor agrees in writing, or by court order under section 5.

Subd. 2. [DEFICIENCY JUDGMENTS.] An action for a deficiency judgment related to a sale of real or personal agricultural property may not be started, continued, or executed for one year after sections 1 to 5 become effective.

Subd. 3. [PREVAILS OVER CONFLICTS.] Sections 1 to 5 prevail over Minnesota Statutes, chapter 583 and other laws that conflict with sections 1 to 5.

Sec. 5. [APPLICATION TO DISTRICT COURT FOR RELIEF.]

Subdivision 1. [PETITION.] A party to a mortgage or security interest may petition for relief to the district court of the county where the foreclosure

proceedings are pending, or the district court of the mortgagor's or debtor's residence. The party petitioning the court must serve a summons and verified complaint on parties to the mortgage or security interest and show why the repossession, foreclosure, or sale should be made.

Subd. 2. [RELIEF ALLOWED.] The court may order the repossession, foreclosure, or sale to proceed under applicable law and conditions provided by the court if the parties to the mortgage or security interest have had adequate legal representation and:

(1) the parties to the security interest or mortgage agree;

(2) the mortgagor of the mortgaged real estate or the debtor of secured personal property does not have any equity in the property; or

(3) after considering all equitable arguments the court finds that there is no reason for the sale not to be held.

Subd. 3. [POSTPONEMENT OF FORECLOSURE SALE AND REDEMPTION PERIOD.] The court may postpone the date of foreclosure sale and the corresponding redemption period up to one year.

Subd. 4. [REDUCTION OF REDEMPTION PERIOD.] The court may order the redemption period under Minnesota Statutes, section 580.23, to be reduced to compensate for the period of time that the sale was delayed, but the redemption period must not be less than 30 days. If the foreclosure sale is not delayed, the redemption period is as provided in Minnesota Statutes, section 580.23.

Subd. 5. [COMPROMISES.] If the parties to a security interest or mortgage agree in writing to a compromise settlement, a composition of the indebtedness, or both, the court has jurisdiction and may, by its order, confirm and approve the settlement, composition, or both.

Subd. 6. [COURT MAY REVISE AND ALTER TERMS.] A party to a mortgage or a security interest may apply to the court before the expiration of the period before the sale and present evidence that the terms set or approved by the court are not just and reasonable because circumstances have changed. The court may revise and alter the terms.

Subd. 7. [HEARING.] The hearing on the petition must be held within 30 days after the filing of the petition. The resulting order must be made and filed within five days after the hearing. An appeal may be made as in other civil actions.

Sec. 6. Laws 1983, chapter 215, section 16, as amended by Laws 1984, chapter 474, section 7, is amended to read:

Sec. 16. [REPEALER.]

Sections 1 to 15 are repealed effective July 1, ~~1985~~ 1986, but any postponement or other relief ordered by a court continues to be valid for the period ordered by the court.

Sec. 7. [REPEALER.]

Sections 1 to 5 are repealed one year after they become effective, but any postponement or other relief ordered by a court continues to be valid for the period ordered by the court.

Sec. 8. [EFFECTIVE DATE.]

This act is effective the day following final enactment."

Delete the title and insert:

"A bill for an act relating to agriculture; declaring a public economic emergency to exist; prohibiting mortgage foreclosure and foreclosure sales for one year; prohibiting repossession, foreclosure, and foreclosure sales of agricultural personal property for one year; providing for an application to the court to allow repossession, foreclosure, and foreclosure sale; prohibiting actions for deficiency judgments; providing for the parties to compromise; extending the effective date of chapter 583 for one year; and repealing the act after one year; amending Laws 1983, chapter 215, section 16, as amended."

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

SECOND READING OF SENATE BILLS

S.F. Nos. 102 and 263 were read the second time.

MOTIONS AND RESOLUTIONS

Mr. Diessner moved that the name of Mr. Wegscheid be added as a co-author to S.F. No. 34. The motion prevailed.

Mr. Langseth moved that the name of Mr. Bertram be added as a co-author to S.F. No. 42. The motion prevailed.

Mr. Mehrkens moved that the names of Messrs. Nelson and Kroening be added as co-authors to S.F. No. 116. The motion prevailed.

Mr. Moe, D.M. moved that the name of Mr. Wegscheid be added as a co-author to S.F. No. 319. The motion prevailed.

Mr. Ramstad moved that the name of Mr. Dahl be added as a co-author to S.F. No. 348. The motion prevailed.

CONSENT CALENDAR

S.F. No. 46: A bill for an act relating to commerce; changing a cross reference relating to undistributed property after dissolution of a cooperative; amending Minnesota Statutes 1984, section 308.14, subdivision 3b.

Mr. Peterson, C.C. moved to amend S.F. No. 46 as follows:

Page 1, line 20, delete "*Notwithstanding*" and insert "*Notwithstanding*"

The motion prevailed. So the amendment was adopted.

S.F. No. 46 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 64 and nays 0, as follows:

Those who voted in the affirmative were:

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

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

GENERAL ORDERS

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

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

S.F. No. 69, which the committee recommends to pass.

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

INTRODUCTION AND FIRST READING OF SENATE BILLS

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

Mr. Spear introduced—

S.F. No. 366: A bill for an act relating to marriage; adopting the uniform marital property act; providing conforming amendments to existing state law; amending Minnesota Statutes 1984, sections 181.58; 197.49; 507.02; 507.03; 518.54, subdivision 5; 518.58; 518.64; 519.11, subdivisions 1 and 7; 525.15; 525.16; 525.214; and 525.215; proposing coding for new law as Minnesota Statutes, chapter 519A; repealing Minnesota Statutes 1984, sections 519.02; 519.03; 519.04; 519.05; and 519.06.

Referred to the Committee on Judiciary.

Mr. Spear and Ms. Berglin introduced—

S.F. No. 367: A bill for an act relating to commerce; prohibiting the sale of certain gold coins; prescribing penalties; proposing coding for new law in Minnesota Statutes, chapter 325F.

Referred to the Committee on Economic Development and Commerce.

Messrs. Chmielewski, Schmitz, Lessard, Laidig and Kamrath introduced—

S.F. No. 368: A bill for an act proposing an amendment to the Minnesota Constitution, article I, adding a section to provide that the right to possess and use arms shall not be abridged.

Referred to the Committee on Judiciary.

Mr. Chmielewski introduced—

S.F. No. 369: A bill for an act relating to agriculture; clarifying the food handling license requirements applicable to itinerant and mobile food services; amending Minnesota Statutes 1984, section 28A.065.

Referred to the Committee on Agriculture and Natural Resources.

Messrs. Sieloff, Storm and Peterson, D.L. introduced—

S.F. No. 370: A bill for an act relating to taxation; income; allowing a final deduction in 1985 for certain taxes paid in 1981 or 1982 tax year; amending Minnesota Statutes 1984, section 290.18, subdivision 2.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Sieloff, Peterson, D.L. and Storm introduced—

S.F. No. 371: A bill for an act relating to taxation; income; providing an itemized deduction for post-secondary education tuition; amending Minnesota Statutes 1984, section 290.089, subdivision 2.

Referred to the Committee on Education.

Messrs. Sieloff, Storm and Peterson, D.L. introduced—

S.F. No. 372: A bill for an act relating to taxation; estate; reducing the tax to the amount of the federal credit for state death taxes; amending Minnesota Statutes 1984, sections 291.005, subdivision 1; 291.03, subdivision 1; 291.075; 291.09, subdivision 1a; 291.09, subdivision 3a; 291.132, subdivision 2; and 291.215, subdivision 1; repealing Minnesota Statutes 1984, sections 291.015; 291.03, subdivisions 3, 4, 5, 6, and 7; 291.05; 291.051; 291.06; 291.065; 291.07; 291.08; 291.09, subdivision 5; and 291.111.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Sieloff and Spear introduced—

S.F. No. 373: A bill for an act relating to frauds; fixing conditions for the legal determination of fraud in property transfers; enacting the uniform fraudulent transfer act; proposing coding for new law in Minnesota Statutes, chapter 513; repealing Minnesota Statutes 1984, sections 513.20; 513.21; 513.22; 513.23; 513.24; 513.25; 513.26; 513.27; 513.28; 513.29; 513.30; 513.31; and 513.32.

Referred to the Committee on Judiciary.

Messrs. Sieloff and Spear introduced—

S.F. No. 374: A bill for an act relating to property transfers; regulating

transfers to persons under a certain age; enacting the uniform transfers to minors act; proposing coding for new law in Minnesota Statutes, chapter 527; repealing Minnesota Statutes 1984, sections 527.01 to 527.11.

Referred to the Committee on Judiciary.

Messrs. Wegscheid, Knaak and Dicklich introduced—

S.F. No. 375: A bill for an act relating to insurance; authorizing domestic companies to purchase or sell certain futures contracts; amending Minnesota Statutes 1984, section 61A.28, subdivision 2.

Referred to the Committee on Economic Development and Commerce.

Mr. Dicklich introduced—

S.F. No. 376: A bill for an act relating to education; establishing a task force on student evaluation; appropriating money.

Referred to the Committee on Education.

Messrs. Pehler; Willet; Merriam; Peterson, D.L. and Stumpf introduced—

S.F. No. 377: A bill for an act relating to education; the permanent school fund; requiring exchange or compensation to the fund for land in state parks and waysides; requiring an inventory of other permanent school fund lands; stating the goal of the permanent school fund; appropriating money; proposing coding for new law in Minnesota Statutes, chapters 92 and 120.

Referred to the Committee on Education.

Mr. Benson introduced—

S.F. No. 378: A bill for an act relating to counties; allowing counties to dispose of interests in land without reserving mineral rights under certain circumstances; amending Minnesota Statutes 1984, section 373.01, subdivision 1.

Referred to the Committee on Agriculture and Natural Resources.

Messrs. Sieloff and Knaak introduced—

S.F. No. 379: A bill for an act relating to nonprofit corporations; requiring the articles of incorporation to contain a mailing address; amending Minnesota Statutes 1984, sections 317.02, by adding a subdivision; 317.08, subdivision 2; and 317.19, subdivision 2.

Referred to the Committee on Judiciary.

Ms. Olson, Messrs. Mehrkens; Peterson, D.L.; Knutson and Knaak introduced—

S.F. No. 380: A bill for an act relating to education; increasing aid for gifted and talented students; appropriating money; amending Minnesota Statutes 1984, section 124.247, subdivision 3.

Referred to the Committee on Education.

Mrs. Lantry, Ms. Berglin and Mr. Dicklich introduced—

S.F. No. 381: A bill for an act relating to health; specifying nursing home correction order or noncompliance violations and penalties; amending Minnesota Statutes 1984, sections 144A.01, subdivision 7, and by adding a subdivision; 144A.04, subdivision 4; 144A.08, subdivision 3; 144A.10, subdivision 4, and by adding subdivisions; and 144A.11, subdivisions 2 and 3a.

Referred to the Committee on Health and Human Services.

Messrs. Benson and Knaak introduced—

S.F. No. 382: A bill for an act relating to administrative procedures; providing for additional review of emergency administrative rules; amending Minnesota Statutes 1984, sections 14.33; and 14.34; proposing coding for new law in Minnesota Statutes, chapter 14.

Referred to the Committee on Governmental Operations.

Messrs. Frederickson; Lessard; Johnson, D.J.; Schmitz and Peterson, D.L. introduced—

S.F. No. 383: A bill for an act relating to taxation; providing for timely payment of sales and use taxes; amending Minnesota Statutes 1984, sections 297A.26, subdivision 1; and 297A.27, subdivision 1; repealing Minnesota Statutes 1984, section 297A.26, subdivision 3.

Referred to the Committee on Taxes and Tax Laws.

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

S.F. No. 384: A bill for an act relating to state lands; conveying lands to the federal government for Voyageurs National Park; appropriating money; amending Minnesota Statutes 1984, section 84B.03, subdivision 4.

Referred to the Committee on Agriculture and Natural Resources.

Messrs. Kroening, Solon, Mrs. McQuaid, Messrs. Belanger and Samuelson introduced—

S.F. No. 385: A bill for an act relating to occupations and professions; providing advertising restrictions for plumbers; proposing coding for new law in Minnesota Statutes, chapter 326.

Referred to the Committee on Economic Development and Commerce.

Messrs. Belanger, Wegscheid, Anderson and Benson introduced—

S.F. No. 386: A bill for an act relating to taxation; income; reducing the maximum corporate rate; amending Minnesota Statutes 1984, section 290.06, subdivision 1.

Referred to the Committee on Taxes and Tax Laws.

Mr. Solon introduced—

S.F. No. 387: A bill for an act relating to alcoholic beverages; defining low

alcohol malt liquor and authorizing its sale by on-sale liquor licenses; amending Minnesota Statutes 1984, sections 340.07; by adding a subdivision; and 340.11, subdivision 5.

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

Messrs. Knaak, Sieloff and Dieterich introduced—

S.F. No. 388: A bill for an act relating to courts; providing that Ramsey municipal court judges shall set salaries of conciliation court referees in Ramsey county; amending Minnesota Statutes 1984, section 488A.30, subdivision 1.

Referred to the Committee on Judiciary.

Messrs. Berg and Renneke introduced—

S.F. No. 389: A bill for an act relating to retirement; Stevens county memorial hospital employees refunds or deferred annuities.

Referred to the Committee on Governmental Operations.

Messrs. Spear, Petty, Ms. Reichgott and Mr. Ramstad introduced—

S.F. No. 390: A bill for an act relating to marriage dissolution and child custody; requiring family courts to forward findings of parental child abuse to the county attorney; proposing coding for new law in Minnesota Statutes, chapter 518.

Referred to the Committee on Judiciary.

Messrs. Spear, Luther and Ramstad introduced—

S.F. No. 391: A bill for an act relating to causes of action; allowing an award of damages for mental anguish in actions for death by wrongful act; amending Minnesota Statutes 1984, section 573.02, subdivisions 1 and 4.

Referred to the Committee on Judiciary.

Mr. Solon introduced—

S.F. No. 392: A bill for an act relating to retirement; authorizing state aid for the University of Minnesota police department; amending Minnesota Statutes 1984, section 69.011, subdivision 1.

Referred to the Committee on Governmental Operations.

Messrs. Dahl, Wegscheid, Belanger, Benson and Luther introduced—

S.F. No. 393: A bill for an act relating to commerce; modifying certain motor vehicle sale and distribution regulations; amending Minnesota Statutes 1984, sections 80E.03, subdivision 11; 80E.04, subdivision 4; 80E.06, subdivision 1; 80E.10, subdivision 5; 80E.12; and 80E.14, subdivision 1.

Referred to the Committee on Economic Development and Commerce.

Messrs. Dahl, Wegscheid, Laidig and Luther introduced—

S.F. No. 394: A bill for an act relating to commerce; requiring manufac-

turers to make certain new motor vehicle warranty disclosures directly to consumers; amending Minnesota Statutes 1984, section 325F.665, subdivision 3.

Referred to the Committee on Economic Development and Commerce.

Messrs. Lessard; Moe, R.D.; Taylor; Johnson, D.J. and Stumpf introduced—

S.F. No. 395: A bill for an act relating to natural resources; establishing an aspen recycling program; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 88.

Referred to the Committee on Agriculture and Natural Resources.

Messrs. Sieloff, Knaak, Taylor and Ramstad introduced—

S.F. No. 396: A bill for an act relating to taxation; income; repealing the suspension of inflation adjustments; repealing Minnesota Statutes 1984, section 290.06, subdivision 2f.

Referred to the Committee on Taxes and Tax Laws.

Mr. Sieloff introduced—

S.F. No. 397: A bill for an act relating to property taxation; discontinuing the revenue equity aid and levy formula; changing the basic maintenance mill rate to 20 mills; amending Minnesota Statutes 1984, sections 124.2138, subdivision 2; 124A.02, subdivision 7; 124A.03, subdivision 3; 124A.037; and 275.125, subdivision 5b; repealing Minnesota Statutes 1984, sections 124.2138, subdivision 2; and 124A.037.

Referred to the Committee on Education.

Messrs. Belanger and Storm introduced—

S.F. No. 398: A bill for an act relating to taxation; sales and use; motor vehicle excise; reducing the general rate to five percent; amending Minnesota Statutes 1984, sections 297A.02, subdivision 1; 297A.03, subdivision 2; and 297A.14.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Belanger, Anderson and Wegscheid introduced—

S.F. No. 399: A bill for an act relating to taxation; property; increasing the market value of commercial and industrial property assessed at 28 percent; amending Minnesota Statutes 1984, section 273.13, subdivision 9.

Referred to the Committee on Taxes and Tax Laws.

Mr. Frederickson introduced—

S.F. No. 400: A bill for an act relating to Independent School District No. 508, St. Peter; authorizing a fund transfer.

Referred to the Committee on Education.

Mr. DeCramer introduced—

S.F. No. 401: A bill for an act relating to creditor's remedies; providing for an increase in the amount of farm machines and implements exemption; clarifying the garnishment limitation for the sale of farm products; amending Minnesota Statutes 1984, sections 550.37, subdivisions 5, 7, 13, and 14; 571.41, subdivisions 6 and 7; 571.495, subdivision 3; and 571.55, subdivision 1.

Referred to the Committee on Judiciary.

Messrs. Knaak, Sieloff, Ramstad, Storm and Laidig introduced—

S.F. No. 402: A bill for an act relating to state departments and agencies; abolishing the Minnesota telecommunications council; repealing Minnesota Statutes 1984, section 16C.01.

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

Messrs. Ramstad and Diessner introduced—

S.F. No. 403: A bill for an act relating to alcoholic beverages; increasing the age for licensing, sale, consumption, possession, and furnishing; amending Minnesota Statutes 1984, sections 340.02, subdivision 8; 340.035, subdivision 1; 340.119, subdivision 2; 340.13, subdivision 12; 340.14, subdivision 1a; 340.403, subdivision 3; 340.73, subdivision 1; 340.731; 340.732; 340.79; and 340.80.

Referred to the Committee on Transportation.

Mr. Bertram introduced—

S.F. No. 404: A bill for an act relating to waters; limiting appeals from determinations that certain waters are public waters; amending Minnesota Statutes 1984, section 105.391, subdivision 1.

Referred to the Committee on Agriculture and Natural Resources.

Messrs. Pehler, Langseth, Mrs. Kronebusch, Messrs. DeCramer and Willet introduced—

S.F. No. 405: A bill for an act relating to post-secondary education; reducing the tuition component required to pay in part for instruction costs; amending Minnesota Statutes 1984, section 135A.03, subdivision 1.

Referred to the Committee on Education.

Messrs. Schmitz, DeCramer, Bernhagen, Mehrkens and Novak introduced—

S.F. No. 406: A bill for an act relating to motor vehicles; defining terms; regulating van-type motor homes; amending Minnesota Statutes 1984, sections 168.011, subdivision 25, and by adding subdivisions; and 168.27, subdivisions 2 and 10.

Referred to the Committee on Transportation.

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

S.F. No. 407: A bill for an act relating to retirement; state employees; extending coverage to state employees on leave of absence with an exclusive bargaining agent; amending Minnesota Statutes 1984, section 352.029.

Referred to the Committee on Governmental Operations.

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

S.F. No. 408: A bill for an act relating to retirement; providing post retirement annuity or benefit increases for certain retired or disabled public employees.

Referred to the Committee on Governmental Operations.

Messrs. Petty, Belanger, Mrs. McQuaid, Mr. Freeman and Ms. Peterson, D.C. introduced—

S.F. No. 409: A bill for an act relating to metropolitan government; prohibiting certain persons from receiving remuneration from certain suppliers; amending Minnesota Statutes 1984, section 473.141, subdivision 9.

Referred to the Committee on Governmental Operations.

Messrs. Petty, Belanger, Mrs. McQuaid, Mr. Freeman and Ms. Peterson, D.C. introduced—

S.F. No. 410: A bill for an act relating to retirement; requiring certain payments by the metropolitan airports commission to the Minneapolis employees retirement fund; amending Minnesota Statutes 1984, section 422A.101, subdivision 3, and by adding a subdivision.

Referred to the Committee on Governmental Operations.

Messrs. Moe, D.M.; Peterson, R.W.; Berg and Johnson, D.E. introduced—

S.F. No. 411: A bill for an act relating to governmental operations; prohibiting any governmental entity from engaging a lobbyist; imposing penalties; proposing coding for new law in Minnesota Statutes, chapter 10A.

Referred to the Committee on Governmental Operations.

Messrs. Moe, R.D. and Vega introduced—

S.F. No. 412: A bill for an act relating to housing; raising the limit on the total amount of Minnesota housing finance agency bonds and notes outstanding; amending Minnesota Statutes 1984, section 462A.22, subdivision 1.

Referred to the Committee on Energy and Housing.

Without objection, the Senate reverted to the Order of Business of Motions and Resolutions.

MOTIONS AND RESOLUTIONS

Mr. Benson moved that S.F. No. 74 be withdrawn from the Committee on

Agriculture and Natural Resources and returned to its author. The motion prevailed.

Mr. Lessard moved that S.F. No. 93, No. 4 on General Orders, be stricken and re-referred to the Committee on Governmental Operations. The motion prevailed.

ADJOURNMENT

Mr. Moe, R.D. moved that the Senate do now adjourn until 7:30 p.m., Tuesday, February 12, 1985. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate