

SIXTEENTH DAY

St. Paul, Minnesota, Thursday, February 21, 1985

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

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

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

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

MEMBERS EXCUSED

Messrs. Pogemiller and Sieloff were excused from the Session of today.

EXECUTIVE AND OFFICIAL COMMUNICATIONS

The following communications were received and referred to the committees indicated.

May 16, 1984

The Honorable Jerome M. Hughes
President of the Senate

Dear Sir:

The following appointment as Chairman of the Metropolitan Council is hereby respectfully submitted to the Senate for confirmation as required by law:

Sandra S. Gardebring, 925 W. Hwy. 36, Roseville, Ramsey County, has been appointed by me, effective May 14, 1984, for a term expiring the first

Monday in January, 1987.

(Referred to the Committee on Local and Urban Government.)

January 14, 1985

The Honorable Jerome M. Hughes
President of the Senate

Dear Sir:

The following appointments to the State University Board are hereby respectfully submitted to the Senate for confirmation as required by law:

Rodney N. Searle, Rt. 1, Box 44, Waseca, Waseca County, has been appointed by me, effective January 19, 1985, for a term expiring the first Monday in January, 1989.

Russel P. Stanton, 1004 N. 4th, Marshall, Lyon County, has been appointed by me, effective January 19, 1985, for a term expiring the first Monday in January, 1989.

James B. Lund, 519 N. 2nd St., Mankato, Blue Earth County, has been appointed by me, effective January 19, 1985, for a term expiring the first Monday in January, 1987.

(Referred to the Committee on Education.)

Sincerely,
Rudy Perpich, Governor

February 13, 1985

Patrick E. Flahaven
Secretary of the Senate

Dear Sir:

The Subcommittee on Committees met today and the following appointments were made to Senate Committees:

Mr. Jim Gustafson was appointed to the Agriculture and Natural Resources Committee, the Employment Committee and the Public Utilities and State Regulated Industries Committee.

Mr. Gary Laidig was appointed to the Committee on Rules and Administration to replace Mr. Ulland.

Ms. Gen Olson was appointed to the Education Aids Subcommittee.

The following appointments were made to legislative commissions:

Pursuant to Minnesota Statutes 1984

Section 1.22: Great Lakes Commission - Mr. Frederickson replaced Mr. Ulland.

Section 3.922: Indian Affairs Council - Mr. Mehrkens replaced Mr. Storm.

Section 3.29: Interstate Cooperation Committee - Mr. Novak replaced Mr. Kamrath.

Section 3.9222: Legislative Commission on Economic Status of Women -

Mr. Storm replaced Mrs. Kronebusch.

Section 3.855: Legislative Commission on Employee Relations - Mr. Taylor designated Mr. Ramstad to serve as his designee and Mr. Anderson replaced Mr. Johnson, D.E.

Section 3.351: Legislative Commission on Energy - Mr. Gustafson replaced Mr. Bernhagen.

Section 3.85: Legislative Commission on Pensions and Retirement - Mr. Pogemiller replaced Mr. Frederickson and Mr. Wegscheid replaced Mr. Peterson, C.C.

Section 3.303: Legislative Coordinating Commission - Mr. Laidig.

Sincerely,
Roger D. Moe
Chairman
Subcommittee on Committees

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. 122: A bill for an act relating to retirement; public employees retirement association; setting the salary range of the executive director; changing the membership of the board; providing qualifications for the executive director; requiring advice and consent of the senate for appointment of the executive director; defining the duties of the board; ending the terms of current board members; defining the duties of the executive director; amending Minnesota Statutes 1984, sections 15A.081, subdivision 1; 43A.10, subdivision 6; and 353.03, subdivisions 1, 1a, 2, 3, 3a, and 5; proposing coding for new law in Minnesota Statutes, chapter 353.

Senate File No. 122 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned February 18, 1985

Mr. Moe, D.M. moved that the Senate do not concur in the amendments by the House to S.F. No. 122, 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 to be appointed on the part of the House. 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. 265 and 336.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted February 18, 1985

FIRST READING OF HOUSE BILLS

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

indicated.

H.F. No. 265: A bill for an act relating to insurance; dramshop liability; authorizing annual aggregate policy limits; amending Minnesota Statutes 1984, section 340.11, subdivision 21.

Referred to the Committee on Judiciary.

H.F. No. 336: A bill for an act relating to public finance; providing for allocation of 1984 state private activity bond issuance authority; proposing coding for new law in Minnesota Statutes, chapter 474.

Mr. Stumpf, for Mr. Pogemiller, moved that H.F. No. 336 be laid on the table. The motion prevailed.

REPORTS OF COMMITTEES

Mr. Moe, R.D. moved that the Committee Reports at the Desk be now adopted, with the exception of the reports on S.F. Nos. 63, 72 and 247 and reports pertaining to appointments. The motion prevailed.

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

S.F. No. 286: A bill for an act relating to appropriations; reducing the amount of fees chargeable by the pollution control agency for solid waste and hazardous waste pollution control; amending Laws 1983, chapter 301, section 25.

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

Page 2, line 11, strike "and shall" and insert "to"

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

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

S.F. No. 177: A bill for an act relating to crime; defining "mentally impaired"; amending Minnesota Statutes 1984, sections 609.341, subdivisions 6 and 11; 609.342; 609.343; 609.344; and 609.345.

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

Page 1, after line 7, insert:

"Section 1. Minnesota Statutes 1984, section 595.02, subdivision 3, is amended to read:

Subd. 3. [CERTAIN OUT-OF-COURT STATEMENTS ADMISSIBLE.] An out-of-court statement made by a child under the age of ten years or a person who is mentally impaired as defined in section 609.341, subdivision 6, alleging, explaining, denying, or describing any act of sexual contact or penetration performed with or on the child or the person who is mentally impaired by another, not otherwise admissible by statute or rule of evidence, is admissible in evidence if:

(a) the court or person authorized to receive evidence finds, in a hearing conducted outside of the presence of the jury, that the time, content, and circumstances of the statement and the reliability of the person to whom the statement is made provide sufficient indicia of reliability; and

(b) the child *or person mentally impaired as defined in section 609.341, subdivision 6*, either:

(i) testifies at the proceedings; or

(ii) is unavailable as a witness and there is corroborative evidence of the act; and

(c) the proponent of the statement notifies the adverse party of his intention to offer the statement and the particulars of the statement sufficiently in advance of the proceeding at which he intends to offer the statement into evidence to provide the adverse party with a fair opportunity to prepare to meet the statement."

Page 1, line 10, reinstate the stricken "that"

Page 1, line 13, delete "who"

Page 1, line 14, after "substantial" insert "psychiatric"

Page 1, line 15, after "mood" insert a comma

Page 6, line 19, delete "1 to 6" and insert "2 to 7"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 2, before "defining" insert "allowing the admission of certain out-of-court statements of mentally impaired persons;"

Page 1, line 3, after "sections" insert "595.02, subdivision 3;"

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

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

S.F. No. 291: A bill for an act relating to probate; adopting provisions of the uniform probate code and clarifying laws relating to intestate succession, spouse's elective share, and omitted spouses and children; amending Minnesota Statutes 1984, sections 257.34, subdivision 1; and 525.145; proposing coding for new law in Minnesota Statutes, chapters 524 and 525; repealing Minnesota Statutes 1984, sections 525.16; 525.17; 525.171; 525.172; 525.173; 525.20; 525.201; 525.202; 525.212 to 525.216.

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

Page 2, line 10, delete everything after the semicolon

Page 2, delete lines 11 and 12 and insert "any who are children of the decedent take equally and others by"

Page 2, line 28, before "homestead" insert "descent of the" and delete "allowance"

Page 3, line 21, delete "of this section 6"

Page 3, line 24, after "to" insert "the rules of the"

Page 5, lines 2 and 6, delete "1985" and insert "1986"

Page 5, line 20, before "homestead" insert "the" and delete "allowance"

Page 8, after line 14, insert:

"For an insurer, the written notice of intention to file a petition for the elective share shall be mailed to its home office by registered mail, return receipt requested, or shall be served upon the insurer in the same manner as a summons in a civil action. Upon receipt of written notice of intention to file a petition for the elective share, an insurer may pay any amounts owed by it specified in clause (3) into the court in which the probate proceedings relating to the estate of the decedent are venued, or if no proceedings have been commenced, into the court having jurisdiction of decedents' estates located in the county of the insured's residence. The court shall hold the funds and, upon its determination under clause (d) of section 18, shall order its disbursement in accordance with the determination. If no petition is filed in the court within the specified time under clause (a) of section 18, or if filed, the demand for an elective share is withdrawn under clause (c) of section 18, the court shall order disbursement to the designated beneficiary. Payment made into the court discharges the insurer from all claims for the amounts paid."

Page 8, line 34, before "homestead" insert "the" and delete "allowance"

Page 9, line 14, after "(1)" insert "and clause (3)"

Page 9, line 26, delete "a final determination" and insert "an order"

Page 9, line 27, before the period, insert "determining the elective share"

Page 11, lines 17 and 18, delete "Minnesota Statutes,"

Page 12, lines 4 and 5, delete "Minnesota Statutes,"

Pages 12 and 13, delete section 23

Page 13, after line 15, insert:

"PART 4
MISCELLANEOUS PROVISIONS"

Page 14, after line 11, insert:

"Sec. 24. Minnesota Statutes 1984, section 525.13, is amended to read:

525.13 [ESTATE.]

As used in sections 525.13 to ~~525.173~~ 525.161, the word "estate" includes every right and interest of a decedent in property, real or personal, except such as are terminated or otherwise extinguished by his death."

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 6, after the semicolon, insert "525.13;"

Page 1, line 8, delete "chapters" and insert "chapter" and delete "and 525"

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

Mr. Solon from the Committee on Economic Development and Commerce, to which was referred

S.F. No. 106: A bill for an act relating to the town of Tofte; authorizing the establishment of a detached banking facility.

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

Mr. Solon from the Committee on Economic Development and Commerce, to which was referred

S.F. No. 333: A bill for an act relating to the town of Cannon Falls; authorizing the establishment of a detached banking facility.

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

Mr. Solon from the Committee on Economic Development and Commerce, to which was referred

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.

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

Mr. Solon from the Committee on Economic Development and Commerce, to which was referred

S.F. No. 244: A bill for an act relating to the city of Savage; authorizing the establishment of detached banking facilities.

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

Page 1, line 13, before the period, insert "*and the acquiring national bank may continue to operate its existing detached facilities*"

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

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

S.F. No. 358: A bill for an act relating to public finance; providing for allocation of 1984 state private activity bond issuance authority; proposing coding for new law in Minnesota Statutes, chapter 474.

Reports the same back with the recommendation that the bill be amended

as follows:

Page 1, lines 16 and 25, delete "local"

Page 1, line 18, delete "A local" and insert "An"

Page 2, line 2, after "requested" insert "(the higher education coordinating board may satisfy the requirements of this clause by stating that the bond proceeds are intended to be used for student loans)"

Page 2, line 4, delete "local"

Page 2, line 13, after the period, insert "The department shall return the application deposits made by applicants for a carryover allocation pursuant to section 474.19, subdivision 7. The amount necessary to pay the refund of application deposits is appropriated to the department of energy and economic development from the general fund."

Page 2, after line 16, insert:

"For purposes of this section, "issuer" means a local issuer or the higher education coordinating board."

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

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

S.F. No. 63: A bill for an act relating to the city of Fergus Falls; granting the city the powers of a port authority; requiring local approval.

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

Page 1, delete lines 7 to 10 and insert:

"Section 1. [FERGUS FALLS AND DETROIT LAKES; PORT AUTHORITY.]

The city of Fergus Falls located in Otter Tail county and the city of Detroit Lakes located in Becker county may establish a port authority commission that has the same powers as a port authority established under Minnesota Statutes, section 458.09, or other law. If either city establishes a port authority commission, that city shall exercise all the powers relating to the port authority granted to a city by Minnesota Statutes, chapter 458, or other law. Notwithstanding Minnesota Statutes, section 458.09, subdivision 1, or other law, each city may choose the name of the commission. Notwithstanding Minnesota Statutes, section 458.10, subdivision 1, or other law, each city may appoint a seven-member commission.

Sec. 2. [FERGUS FALLS AND DETROIT LAKES; MUNICIPAL HOUSING AND REDEVELOPMENT AUTHORITY.]

If the city of Fergus Falls or the city of Detroit Lakes establishes a port authority commission under section 1, either commission may exercise the same powers as a municipal housing and redevelopment authority established under Minnesota Statutes, section 462.425, or other law. Either city shall then exercise all the powers relating to the municipal housing and rede-

velopment authority granted to a city by Minnesota Statutes, chapter 462, or other law.”

Page 1, line 14, delete “body” and insert “bodies” and delete “city” and insert “cities”

Page 1, line 14, before the period, insert “and Detroit Lakes”

Re-number the sections in sequence

Amend the title as follows:

Page 1, line 2, after “Falls” insert “located in Otter Tail county and the city of Detroit Lakes located in Becker county”

Page 1, line 3, delete “city” and insert “cities” and after the semicolon, insert “authorizing the port authority to exercise the powers of a municipal housing and redevelopment authority; permitting the cities to choose the name of the port authority;”

And when so amended the bill do pass. Mr. Novak questioned the reference thereon and, under Rule 35, the bill was referred to the Committee on Rules and Administration.

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

S.F. No. 72: A bill for an act relating to liquor; use of Minnesota grown grapes by farm wineries; amending Minnesota Statutes 1984, section 340.435.

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

Page 1, delete line 8 and insert “is amended by adding a subdivision to read:”

Page 1, delete lines 9 to 21

Page 1, line 22, delete “commissioner. In addition, in” and insert:

“Subd. 6. In”

Page 1, line 25, delete “, but in no event more” and insert a period

Page 2, delete line 1 and insert:

“Sec. 2. [REPEALER.]

Section 1 is repealed August 1, 1989.”

Amend the title as follows:

Page 1, line 2, after “liquor;” insert “allowing an exemption from requirement for”

Page 1, line 4, before the period, insert “, by adding a subdivision”

And when so amended the bill do pass. Mr. Dieterich questioned the reference thereon and, under Rule 35, the bill was referred to the Committee on Rules and Administration.

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

S.F. No. 284: A bill for an act relating to state lands; authorizing the sale of certain surplus state land in Dakota county to the city of Hastings.

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

Page 1, line 7, after "CERTAIN" insert "DEPARTMENT OF" and delete "ADMINISTRATION" and insert "AFFAIRS"

Page 1, line 11, delete "September" and insert "January" and delete "1985" and insert "1986"

Page 1, line 12, delete "may" and insert "must"

Page 1, line 15, after "appraised" insert ", in the manner provided in Minnesota Statutes, section 94.10."

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

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

S.F. No. 47: A bill for an act relating to animals; increasing penalties for certain cruel acts against animals; amending Minnesota Statutes 1984, section 343.21, subdivision 9.

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

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1984, section 343.21, subdivision 9, is amended to read:

Subd. 9. [PENALTY.] *A person who fails to comply with any provision of subdivision 1 or 7 is guilty of a gross misdemeanor. A person who fails to comply with any other provision of this section is guilty of a misdemeanor.*"

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

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

S.F. No. 247: A bill for an act relating to veterans; directing the commissioner of veterans affairs to place a memorial to veterans of the Korean conflict in the Court of Honor; 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. [COURT OF HONOR MEMORIAL.]

Memorial plaques to honor Minnesota veterans of the Civil War, Spanish-American War, World War I, World War II, and the Korean conflict shall be placed in the Court of Honor on the Capitol grounds. The plaques shall be

furnished by other than the department of veterans' affairs and approved by the commissioner and the capitol area architectural and planning board."

Delete the title and insert:

"A bill for an act relating to veterans; establishing a memorial to veterans of certain wars in the Court of Honor on the Capitol grounds."

And when so amended the bill do pass and be placed on the Consent Calendar. Mr. Moe, D.M. questioned the reference thereon and, under Rule 35, the bill was referred to the Committee on Rules and Administration.

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

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.

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

Page 1, line 10, delete "*In this act*" and insert "*For purposes of this chapter*"

Page 1, line 12, before the period, insert "*, notwithstanding any law to the contrary*"

Page 1, line 25, delete "*act*" and insert "*chapter*"

Page 2, line 13, before the period, insert "*, notwithstanding any law to the contrary*"

Page 2, line 27, delete "*act*" and insert "*chapter*"

Page 2, line 32, delete "*act*" in both places and insert "*chapter*"

Page 2, line 34, after "*made*" insert a comma

Page 3, lines 1 and 4, delete "*act*" and insert "*chapter*"

Page 5, line 23, delete "*act*" and insert "*chapter*"

Page 8, lines 3, 7, 20, 23, 25, and 28, delete "*act*" and insert "*chapter*"

Page 11, lines 6 and 8, delete "*act*" and insert "*chapter*"

Page 13, line 32, delete "*act*" and insert "*chapter*"

Page 14, line 14, delete "*This act applies*" and insert "*Sections 1 to 20 apply*"

Page 14, line 15, delete "*its*" and insert "*their*"

Page 14, lines 22 and 25, delete "*this act*" and insert "*sections 1 to 20*"

Page 14, line 30, delete "*This act applies*" and insert "*Sections 1 to 20 apply*"

Page 14, line 36, delete "*this act*" and insert "*those sections*"

Page 15, line 5, delete "*this act*" and insert "*sections 1 to 20*"

Page 15, line 6, delete "*does*" and insert "*do*"

Page 15, line 13, delete "*act*" and insert "*chapter*"

Page 15, delete section 25

Page 15, line 18, delete "REPEALS" and insert "REPEALER"

Renumber the sections in sequence

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

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

S.F. No. 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.

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

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

S.F. No. 455: A bill for an act relating to uniform acts; enacting the Uniform Conservation Easement Act; proposing coding for new law as Minnesota Statutes, chapter 84C.

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

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

S.F. No. 5: A bill for an act relating to alcoholic beverages; increasing the age for licensing, sale, purchase, consumption, possession, and furnishing of alcoholic beverages; amending Minnesota Statutes 1984, sections 340.02, subdivision 8; 340.035, subdivision 1; 340.039; 340.119, subdivision 2; 340.13, subdivision 12; 340.403, subdivision 3; 340.73, subdivision 1; 340.731; 340.732; 340.79; and 340.80.

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

Page 1, line 15, delete "*adult*"

Page 1, line 17, reinstate the stricken "who have attained the age of" and after the stricken "19" insert "21" and reinstate the stricken "years"

Page 3, line 8, reinstate the stricken "a" and delete "*an adult*"

Page 3, line 9, after the stricken "19" insert "21" and reinstate the stricken "years of age or over,"

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

Mr. Merriam from the Committee on Agriculture and Natural Resources, to which was referred the following appointment as reported in the Journal

for January 28, 1985:

MINNESOTA POLLUTION CONTROL AGENCY
DIRECTOR
Thomas J. Kalitowski

Reports the same back with the recommendation that the appointment be confirmed.

Mr. Moe, R.D. moved that the foregoing committee report be laid on the table. The motion prevailed.

SECOND READING OF SENATE BILLS

S.F. Nos. 177, 291, 106, 333, 375, 244, 358, 47, 374, 379 and 455 were read the second time.

MOTIONS AND RESOLUTIONS

Mr. Petty moved that the name of Mr. Frederick be added as a co-author to S.F. No. 314. The motion prevailed.

Mr. Kamrath moved that the name of Mr. Jude be added as a co-author to S.F. No. 324. The motion prevailed.

Mr. Pogemiller moved that the name of Mr. Stumpf be added as a co-author to S.F. No. 358. The motion prevailed.

Mr. Peterson, C.C. moved that the name of Mr. Schmitz be added as a co-author to S.F. No. 408. The motion prevailed.

Mr. Bertram moved that the names of Messrs. Anderson and Lessard be added as co-authors to S.F. No. 487. The motion prevailed.

Mr. Ramstad moved that the name of Mr. Jude be added as a co-author to S.F. No. 491. The motion prevailed.

Ms. Peterson, D.C. moved that the name of Mr. Merriam be added as a co-author to S.F. No. 504. The motion prevailed.

Mrs. McQuaid moved that the name of Mr. Jude be added as a co-author to S.F. No. 505. The motion prevailed.

Mr. Dicklich moved that the names of Messrs. Davis and Wegscheid be added as co-authors to S.F. No. 509. The motion prevailed.

Mr. Pehler moved that the name of Mr. Wegscheid be added as a co-author to S.F. No. 523. The motion prevailed.

Mr. Bertram introduced—

Senate Resolution No. 27: A Senate resolution extending congratulations to Shawn Stoermann of rural Avon, Minnesota, on attaining the rank of Eagle Scout.

Referred to the Committee on Rules and Administration.

Mr. Stumpf, for Mr. Pogemiller, moved that H.F. No. 336 be taken from the table. The motion prevailed.

H.F. No. 336: A bill for an act relating to public finance; providing for

allocation of 1984 state private activity bond issuance authority; proposing coding for new law in Minnesota Statutes, chapter 474.

SUSPENSION OF RULES

Mr. Stumpf, for 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. 336 and that the rules of the Senate be so far suspended as to give H.F. No. 336 its second and third reading and place it on its final passage. The motion prevailed.

H.F. No. 336 was read the second time.

H.F. No. 336 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 63 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

MOTIONS AND RESOLUTIONS - CONTINUED

Mr. Stumpf, for Mr. Pogemiller, moved that S.F. No. 358, on the Consent Calendar, be stricken and laid on the table. The motion prevailed.

Mr. Moe, D.M. moved that S.F. No. 277 be withdrawn from the Committee on Governmental Operations and re-referred to the Committee on Local and Urban Government. The motion prevailed.

CALL OF THE SENATE

Mr. Berg imposed a call of the Senate for the proceedings on S.F. No. 85. The Sergeant at Arms was instructed to bring in the absent members.

CALENDAR

S.F. No. 85: 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; and repealing the act after one year.

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 27, as follows:

Those who voted in the affirmative were:

Benson	Frank	Luther	Peterson, D.L.	Storm
Berg	Freeman	Merriam	Purfeerst	Stumpf
Berglin	Hughes	Moe, D. M.	Reichgott	Vega
Dahl	Johnson, D.J.	Moe, R. D.	Renneke	Wegscheid
Davis	Kroening	Nelson	Samuelson	Willet
DeCramer	Kronebusch	Novak	Schmitz	
Dicklich	Laidig	Peterson, C.C.	Solon	
Diessner	Lessard	Peterson, D.C.	Spear	

Those who voted in the negative were:

Adkins	Chmielewski	Johnson, D.E.	McQuaid	Ramstad
Anderson	Dieterich	Jude	Mehrkens	Taylor
Belanger	Frederick	Kamrath	Olson	Waldorf
Bernhagen	Frederickson	Knaak	Pehler	
Bertram	Gustafson	Langseth	Peterson, R.W.	
Brataas	Isackson	Lantry	Petty	

So the bill passed and its title was agreed to.

GENERAL ORDERS

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

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

S.F. Nos. 252, 102, 207 and 279, which the committee recommends to pass.

On motion of Mr. Luther, 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.

Messrs. Benson and Kamrath introduced—

S.F. No. 524: A bill for an act relating to health; exempting certain drivers of basic life support transportation vehicles from certain requirements; amending Minnesota Statutes 1984, section 144.804, subdivision 1.

Referred to the Committee on Health and Human Services.

Ms. Peterson, D.C.; Messrs. Luther and Dahl introduced—

S.F. No. 525: A bill for an act relating to insurance; no-fault auto; providing uninsured and underinsured motorist coverages; defining terms; amend-

ing Minnesota Statutes 1984, sections 65B.43, by adding subdivisions; and 65B.49, subdivision 4.

Referred to the Committee on Economic Development and Commerce.

Mr. DeCramer introduced—

S.F. No. 526: A bill for an act relating to soil and water conservation; changing powers and duties of the state board; amending Minnesota Statutes 1984, section 40.03, subdivision 4.

Referred to the Committee on Agriculture and Natural Resources.

Messrs. Spear, Jude, Bertram and Ramstad introduced—

S.F. No. 527: A bill for an act relating to arrest; providing indemnification for off-duty peace officers who make arrests outside their jurisdiction; specifying the circumstances under which peace officers, constables, and part-time peace officers may make on or off-duty arrests outside their jurisdictions; amending Minnesota Statutes 1984, sections 3.736, subdivision 1, and by adding a subdivision; 629.34, subdivision 1; and 629.40.

Referred to the Committee on Judiciary.

Messrs. Knaak, Wegscheid, Storm, Freeman and Dieterich introduced—

S.F. No. 528: A bill for an act relating to metropolitan government; transportation; providing for regional transit board to regulate operation of taxicabs within metropolitan area; proposing coding for new law in Minnesota Statutes, chapter 473.

Referred to the Committee on Transportation. Mr. Dieterich questioned the reference thereon and, under Rule 35, the bill was referred to the Committee on Rules and Administration.

Ms. Berglin, Mr. Benson, Mrs. Lantry, Messrs. Petty and Waldorf introduced—

S.F. No. 529: A bill for an act relating to health; concerning health-related licensing boards; changing the composition of the board of medical examiners and the method of appointing board members; authorizing the release of certain information by the board of medical examiners; requiring the board of medical examiners to adopt rules and publish disciplinary actions; establishing special requirements for cases before the boards of psychology and medical examiners that involve sexual exploitation of clients; establishing special requirements for health-related licensing boards; amending Minnesota Statutes 1984, sections 147.01, subdivisions 1, 2, and 4; 147.02, by adding subdivisions; 147.025; 148.951; 214.07, subdivision 1; and 214.10, by adding a subdivision.

Referred to the Committee on Health and Human Services.

Messrs. Solon; Chmielewski; Johnson, D.J.; Benson and Purfeerst introduced—

S.F. No. 530: A bill for an act relating to corrections; allowing chiroprac-

tors to practice in institutions under the control of the commissioner of corrections; amending Minnesota Statutes 1984, section 241.021, subdivision 4.

Referred to the Committee on Health and Human Services.

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

S.F. No. 531: A bill for an act relating to taxation; extending the 3cc classification to homesteads of recipients of private disability pensions; amending Minnesota Statutes 1984, section 273.13, subdivision 7.

Referred to the Committee on Taxes and Tax Laws.

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

S.F. No. 532: A bill for an act relating to human services; setting eligibility criteria for community social services; requiring information from users to be included in the process of planning county social services; prescribing duties of the commissioner of human services; amending Minnesota Statutes 1984, sections 256E.03, subdivision 2; 256E.05, subdivision 3; and 256E.09, subdivisions 2 and 3.

Referred to the Committee on Health and Human Services.

Ms. Peterson, D.C.; Messrs. Pogemiller, Freeman, Dicklich and Stumpf introduced—

S.F. No. 533: A bill for an act relating to post-secondary education; allowing financial aid for four years, not just the first four years, of undergraduate education; amending Minnesota Statutes 1984, section 136A.121, subdivision 10.

Referred to the Committee on Education.

Messrs. Samuelson, Bertram, Berg, Stumpf and Langseth introduced—

S.F. No. 534: A bill for an act relating to agriculture; appropriating money for additional apiary inspection staff and staff support.

Referred to the Committee on Agriculture and Natural Resources.

Mr. Benson and Mrs. Kronebusch introduced—

S.F. No. 535: A bill for an act relating to occupations and professions; providing a contingency fee recovery scale for attorneys; proposing coding for new law in Minnesota Statutes, chapter 481.

Referred to the Committee on Judiciary.

Mrs. McQuaid, Messrs. Belanger, Storm, Ramstad and Ms. Olson introduced—

S.F. No. 536: A bill for an act relating to Hennepin county; setting the form in which county board members' salaries must be stated; amending Laws 1982, chapter 577, section 14.

Referred to the Committee on Local and Urban Government.

Messrs. Purfeerst, DeCramer, Frederick, Anderson and Mrs. Lantry introduced—

S.F. No. 537: A resolution memorializing the President and Congress of the United States to take prompt action to enact an interstate cost estimate bill.

Referred to the Committee on Transportation.

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

S.F. No. 538: A bill for an act relating to corrections; appropriating money for the west central regional juvenile center.

Referred to the Committee on Health and Human Services.

Mr. Bertram introduced—

S.F. No. 539: A bill for an act relating to agriculture; repealing requirements for a department slogan on printed matter; changing emergency rule-making authority; creating a statistical services account in the state treasury; clarifying membership requirements for the soil and water conservation board; appropriating money; amending Minnesota Statutes 1984, sections 17.03, by adding a subdivision; and 40.03, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 17; repealing Minnesota Statutes 1984, sections 16.51; 16.52; and 16.53.

Referred to the Committee on Agriculture and Natural Resources.

Messrs. Merriam; Peterson, D.L.; Frederick and Taylor introduced—

S.F. No. 540: A bill for an act relating to agriculture; eliminating license requirement for fur farmers; establishing a registration system; providing definitions; defining agricultural products and pursuits related to fur farming; proposing coding for new law in Minnesota Statutes, chapter 17; repealing Minnesota Statutes 1984, section 17.35.

Referred to the Committee on Agriculture and Natural Resources.

Messrs. Freeman, Belanger, Schmitz and Novak introduced—

S.F. No. 541: A bill for an act relating to metropolitan government; providing conditions for the disposal of certain sports facilities property; amending Minnesota Statutes 1984, section 473.556, subdivision 6.

Referred to the Committee on Local and Urban Government.

Messrs. Freeman and Belanger introduced—

S.F. No. 542: A bill for an act relating to local improvements; providing for advertisement for bids in certain publications; amending Minnesota Statutes 1984, section 429.041, subdivision 1.

Referred to the Committee on Local and Urban Government.

Ms. Berglin, Messrs. Petty, Samuelson, Mrs. Lantry and Mr. Johnson, D.E. introduced—

S.F. No. 543: A bill for an act relating to health; requiring a study of the feasibility of home equity conversion to finance long-term health care and long-term health care insurance; appropriating money.

Referred to the Committee on Energy and Housing.

Ms. Berglin, Messrs. Petty, Benson, Mrs. Lantry and Mr. Storm introduced—

S.F. No. 544: A bill for an act relating to municipalities; requiring review by the commissioners of human services and health; health care facility projects involving the issuance of revenue bonds; amending Minnesota Statutes 1984, section 474.01, subdivisions 7a, and 9.

Referred to the Committee on Health and Human Services.

Messrs. Petty; Dicklich; Spear; Johnson, D.E. and Ms. Berglin introduced—

S.F. No. 545: A bill for an act relating to human services; requiring a study and report on public guardianship.

Referred to the Committee on Health and Human Services.

Messrs. Wegscheid, Langseth and Moe, R.D. introduced—

S.F. No. 546: A bill for an act relating to agriculture; appropriating money for the agricultural extension service of the University of Minnesota.

Referred to the Committee on Agriculture and Natural Resources.

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

S.F. No. 547: A bill for an act relating to motor vehicles; regulating motor vehicle auctions; prescribing licensing and bonding requirements for motor vehicle dealers; amending Minnesota Statutes 1984, section 168.27, subdivisions 7, 11, 12, and 24.

Referred to the Committee on Transportation.

Ms. Berglin, Messrs. Dicklich; Samuelson; Johnson, D.E. and Solon introduced—

S.F. No. 548: A bill for an act relating to human services; conforming liquid asset limits in the Minnesota supplemental aid program for persons eligible by reason of old age or disability to the limits prescribed by the federal supplemental security income program; amending Minnesota Statutes 1984, section 256D.37, subdivision 2.

Referred to the Committee on Health and Human Services.

Mr. Nelson introduced—

S.F. No. 549: A bill for an act relating to education; requiring the commis-

sioner to have conferences on peer tutoring programs in the schools; appropriating money.

Referred to the Committee on Education.

Ms. Berglin introduced—

S.F. No. 550: A bill for an act relating to crimes; defining the crime of owning or operating a disorderly house; requiring a mandatory fine for a person owning or operating a disorderly house; amending Minnesota Statutes 1984, section 609.33.

Referred to the Committee on Judiciary.

Messrs. Dieterich, Berg and Peterson, R.W. introduced—

S.F. No. 551: A bill for an act relating to the legislature; prohibiting the payment of honorariums to legislators during the legislative session; amending Minnesota Statutes 1984, section 3.099.

Referred to the Committee on Elections and Ethics.

Mr. Lessard introduced—

S.F. No. 552: A bill for an act relating to Itasca county; changing the permissible expenditure on tourist, agricultural, and industrial promotion; amending Laws 1965, chapter 326, section 1, subdivision 5, as amended.

Referred to the Committee on Agriculture and Natural Resources.

Messrs. Storm, Laidig, Knaak, Lessard and Schmitz introduced—

S.F. No. 553: A bill for an act relating to the city of Eden Prairie; authorizing one annual one-day liquor license.

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

Messrs. Peterson, R.W.; Nelson; Merriam; Pehler and Schmitz introduced—

S.F. No. 554: A bill for an act relating to education; providing for full implementation of tier revenue by the 1986-1987 school year; amending Minnesota Statutes 1984, section 124A.16, subdivisions 2 and 4; repealing Minnesota Statutes 1984, section 124A.16.

Referred to the Committee on Education.

Ms. Berglin, Messrs. Samuelson, Dicklich, Mmes. Lantry and Brataas introduced—

S.F. No. 555: A bill for an act relating to health; providing for the distribution of maternal and child health block grant funds to special projects; amending Minnesota Statutes 1984, sections 145.882; 145.884; 145.885; and 145.886.

Referred to the Committee on Health and Human Services.

Messrs. Freeman, Davis, Luther and Peterson, C.C. introduced—

S.F. No. 556: A bill for an act relating to agriculture; increasing the number of deputy commissioners of agriculture; establishing a trade office; appropriating money; amending Minnesota Statutes 1984, section 17.01; proposing coding for new law in Minnesota Statutes, chapter 17.

Referred to the Committee on Agriculture and Natural Resources.

Messrs. Frank, Pehler, Chmielewski, Ramstad and Ms. Reichgott introduced—

S.F. No. 557: A bill for an act relating to insurance; removing the limits on credits offered on workers' compensation insurance premiums; amending Minnesota Statutes 1984, section 79.55, by adding a subdivision.

Referred to the Committee on Employment.

Messrs. Wegscheid, Knaak, Jude, Renneke and Spear introduced—

S.F. No. 558: A bill for an act relating to state and local government; providing procedures for the conduct of meetings by public bodies; amending Minnesota Statutes 1984, sections 62E.10, subdivision 4; 116C.60; 129.121, subdivision 5; 144.413, subdivision 3; 144.581, subdivision 4; and 400.04, subdivision 3; proposing coding for new law as Minnesota Statutes, chapter 471A; repealing Minnesota Statutes 1984, section 471.705.

Referred to the Committee on Governmental Operations.

Messrs. Anderson and Pogemiller introduced—

S.F. No. 559: A bill for an act relating to taxation; exempting residential use of electricity from the sales tax; amending Minnesota Statutes 1984, section 297A.25, subdivision 1.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Spear, Luther, Freeman and Ramstad introduced—

S.F. No. 560: A bill for an act relating to civil actions; authorizing aggregation of the fault of multiple defendants in comparative fault actions; amending Minnesota Statutes 1984, section 604.01, subdivision 1.

Referred to the Committee on Judiciary.

Messrs. Stumpf, DeCramer, Ms. Olson, Messrs. Mehrkens and Samuelson introduced—

S.F. No. 561: A bill for an act relating to vocational technical education; allowing some budget, allocation, aid, and grant procedures to be set by state board policy; correcting and eliminating definitions; changing a fund for the deposit of parking fees; amending Minnesota Statutes 1984, sections 136C.08, subdivision 2; 136C.26; 136C.28, subdivisions 1 and 2; 136C.31; 136C.33, subdivision 1; and 136C.34; proposing coding for new law in Minnesota Statutes, chapter 136C; repealing Minnesota Statutes 1984, sections 136C.26, subdivisions 2 and 8; 136C.27, subdivision 1; 136C.28, sub-

divisions 3, 4, 5, 6, and 7; and 136C.33, subdivisions 3 and 4; 136C.37; and 136C.38.

Referred to the Committee on Education.

Mr. DeCramer, Ms. Olson, Messrs. Waldorf, Samuelson and Mehrkens introduced—

S.F. No. 562: A bill for an act relating to vocational education; discontinuing program elimination standards based on placement ratios and class size; repealing Minnesota Statutes 1984, section 136C.27, subdivision 1.

Referred to the Committee on Education.

Messrs. Stumpf, DeCramer, Waldorf and Mehrkens introduced—

S.F. No. 563: A bill for an act relating to education; vocational; removing a restriction for awarding associate degrees; amending Minnesota Statutes 1984, section 136C.042, subdivision 1.

Referred to the Committee on Education.

Messrs. Davis, Taylor and Ms. Olson introduced—

S.F. No. 564: A bill for an act relating to vocational education; changing certain licensure requirements; amending Minnesota Statutes 1984, sections 125.031, and 125.055.

Referred to the Committee on Education.

Messrs. Chmielewski and Merriam introduced—

S.F. No. 565: A bill for an act relating to animals; prohibiting the use of a decompression chamber to destroy an animal; imposing a penalty; proposing coding for new law in Minnesota Statutes, chapter 343.

Referred to the Committee on Veterans and General Legislation.

Messrs. Jude and Luther introduced—

S.F. No. 566: A bill for an act relating to civil procedure; providing for the treatment of certain foreign judgments; enacting the Uniform Foreign Money-Judgments Act; proposing coding for new law in Minnesota Statutes, chapter 548.

Referred to the Committee on Judiciary.

Mr. Luther, Ms. Reichgott, Messrs. Spear and Johnson, D.E. introduced—

S.F. No. 567: A bill for an act relating to real property; clarifying notice period required for cancellation of contract for deed; amending Minnesota Statutes 1984, section 559.21, subdivisions 1 and 2, and by adding a subdivision.

Referred to the Committee on Judiciary.

Messrs. Dieterich, Langseth, Merriam, Pehler and Taylor introduced—

S.F. No. 568: A bill for an act relating to education; directing the commis-

sioner of education to form an advisory committee on nonpublic schools; amending Minnesota Statutes 1984, section 123.935, by adding a subdivision.

Referred to the Committee on Education.

Messrs. Merriam, DeCramer, Spear, Luther and Johnson, D.E. introduced—

S.F. No. 569: A bill for an act relating to natural resources; granting conservation officers the authority of peace officers; specifying areas of jurisdiction; amending Minnesota Statutes 1984, sections 84.028, subdivision 3; and 97.50, subdivision 1.

Referred to the Committee on Agriculture and Natural Resources.

Mr. Frank introduced—

S.F. No. 570: A bill for an act relating to taxation; income providing a credit for volunteer services; amending Minnesota Statutes 1984, section 290.06, by adding a subdivision.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Peterson, C.C.; Wegscheid and Merriam introduced—

S.F. No. 571: A bill for an act relating to environment; creating a hazardous substance injury compensation fund; establishing a board to administer compensation; limiting compensable losses; prescribing claims procedures; allowing partial subrogation rights; providing for partial recoupment of expenditures from hazardous waste generators; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 115B.

Referred to the Committee on Judiciary. Mr. Waldorf questioned the reference thereon and, under Rule 35, the bill was referred to the Committee on Rules and Administration.

Mr. Wegscheid introduced—

S.F. No. 572: A bill for an act relating to hazardous waste; establishing a hazardous waste compensation fund for the payment of certain claims for personal injuries caused by hazardous waste; providing for administration of the fund and for payment of claims; providing for payment of medical expenses from other sources; providing a penalty; appropriating money; amending Minnesota Statutes 1984, sections 62E.52, subdivision 2; 62E.53, subdivision 2; 115B.02, subdivision 7, and by adding subdivisions; 115B.19; 115B.20, subdivisions 1, 4, and 6; Laws 1983, chapter 121, section 32, subdivisions 1, 3, 4, and 5; proposing coding for new law in Minnesota Statutes, chapter 115B.

Referred to the Committee on Judiciary. Mr. Waldorf questioned the reference thereon and, under Rule 35, the bill was referred to the Committee on Rules and Administration.

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 adoption by the House of the following House Concurrent Resolution, herewith transmitted:

House Concurrent Resolution No. 3: A House concurrent resolution providing for a joint convention of the Senate and the House of Representatives to elect members of the Board of Regents of the University of Minnesota.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted February 21, 1985

Mr. Pehler moved that House Concurrent Resolution No. 3 be laid on the table. The motion prevailed.

ADJOURNMENT

Mr. Luther moved that the Senate do now adjourn until 2:00 p.m., Monday, February 25, 1985. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate