

TWENTY-SECOND DAY

St. Paul, Minnesota, Tuesday, March 5, 1985

The Senate met at 2:45 p.m. and was called to order by the President.

Prayer was offered by the Chaplain, Rev. M.E. Sandness.

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

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

The President declared a quorum present.

The reading of the Journals of the Twentieth and Twenty-first days was dispensed with and the Journals, as printed and corrected, were approved.

MEMBERS EXCUSED

Messrs. Dahl, Knaak, Lessard, Petty, Samuelson, Sieloff and Vega were excused from the Session of today.

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. 155.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted February 28, 1985

FIRST READING OF HOUSE BILLS

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

indicated.

H.F. No. 155: A bill for an act relating to weights and measures; specifying the contents of a cord of freshly cut rough green aspen; amending Minnesota Statutes 1984, section 239.33.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 170, now on General Orders.

REPORTS OF COMMITTEES

Mr. Moe, R.D. moved that the Committee Reports at the Desk be now adopted, with the exception of the report on S.F. No. 64. The motion prevailed.

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

S.F. No. 424: A bill for an act relating to peace officers; requiring a person seeking appointment as a part-time peace officer to provide the board of peace officer standards and training with proof that he or she has complied with appointment requirements; amending Minnesota Statutes 1984, section 626.8463.

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 626.8463, is amended to read:

626.8463 [PART-TIME PEACE OFFICERS.]

Subdivision 1. [APPOINTMENT REQUIREMENTS.] Any individual appointed or employed as a part-time peace officer to a position which was filled by a part-time officer between January 1, 1978 and May 31, 1979 owing to the death, termination, or failure of the incumbent to comply with the requirements of this section shall provide proof to the board that the individual has:

(a) (1) Within six months of his appointment he has satisfied the selection standards of the board then in effect. The board shall grant a reasonable extension of time to show satisfaction of selection standards to any law enforcement agency that demonstrates that satisfaction of selection standards within six months would impose financial hardship;

(b) (2) Within 12 months of his appointment he has successfully completed a board certified course, or a professionally recognized program, courses in first aid, and, if authorized to carry a firearm on duty, firearms training, including legal limitations on the justifiable use of deadly force; and

(c) (3) Within 24 months of his appointment he has successfully passed a board part-time peace officer licensing examination.

Subd. 2. [QUOTA.] A law enforcement agency may designate personnel as part-time peace officer replacements who shall be subject to the training requirements of this section notwithstanding the fact that the personnel are appointed to positions which were not filled by part-time officers between January 1, 1978 and May 31, 1979. Provided that the number of personnel so

designated shall not exceed a number equal to two or ten percent of the positions filled by part-time officers between January 1, 1978 and May 31, 1979, rounded to the next highest whole number, whichever is greater have no more than two part-time peace officer positions, except that the agency may have up to the number of part-time peace officer positions recognized by the board as of January 1, 1985."

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. 432: A bill for an act relating to public safety; requiring the commissioner of public safety to administer an automated fingerprint identification network system; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 299C.

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

Page 1, line 14, delete "SYSTEM" and insert "system"

Page 2, lines 28 and 33, delete "department" and insert "commissioner"

Pages 2 and 3, delete section 4

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

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

S.F. No. 245: A bill for an act relating to judges; providing for the manner of filling vacancies in the office of judge; proposing coding for new law in Minnesota Statutes, chapter 480B.

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

Page 1, line 19, delete "the chief justice" and insert "a majority of the judges of the supreme court"

Page 1, line 22, after "district" insert a comma

Page 1, lines 23 and 24, delete "the bar" and insert "attorney"

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

Page 2, line 4, delete the second "the" and insert "each"

Page 2, line 13, delete "(4)" and insert "(3)" and delete the comma

Page 2, line 17, delete "clause" and insert "clauses" and delete "or" and insert "to"

Page 2, line 25, after the period, insert "Each time a vacancy occurs in the court of appeals, in addition to the permanent members provided in clauses (1) and (2), two residents of the state shall be appointed by the governor as special members of the committee and shall serve only while that vacancy is being filled."

Page 2, line 27, delete "attorneys who are"

Page 2, line 28, delete "and" and insert "or"

Page 2, line 31, delete "six" and insert "seven"

Page 2, line 32, delete "five" and insert "six"

Page 3, after line 2, insert:

"Subd. 3. [RECRUITMENT PROCESS.] No later than 60 days after the appointment or election of all of the permanent committee members, the committee shall prepare and make available to the public an outline of the process the committee will follow in recruiting nominees to fill judicial vacancies."

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

Page 3, line 17, delete "4" and insert "5"

Page 3, line 22, after "persons" insert "or on behalf of qualified persons"

Page 3, lines 35 and 36, delete "the district bar" and insert "attorney"

Page 4, line 3, delete "5" and insert "6"

Page 4, line 13, delete "the district bar" and insert "attorney"

Page 4, line 18, delete "bar" and insert "attorney"

Page 4, line 21, delete "6" and insert "7"

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 referred

S.F. No. 64: A bill for an act relating to local government; establishing a procedure to consolidate the cities of International Falls and South International Falls; authorizing a special mill levy in the event of consolidation.

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

Page 2, line 17, delete "41" and insert "31"

Page 2, delete lines 29 to 31 and insert "and each other year's special levy shall not exceed \$50,000, including interest."

Page 2, line 36, after the period, insert "The board may exercise the powers authorized under section 414.01, subdivisions 11 and 12."

Page 3, line 5, after "order" insert "setting the effective dates for the consolidation and the proposed city charter and"

Page 3, line 7, after the period, insert "The board's order for consolidation shall be final. If the proposed city charter does not provide for the election of new municipal officers, the board shall do so pursuant to section 414.09, subdivision 3."

And when so amended the bill do pass. Mr. Johnson, D.J. questioned the

reference thereon and, under Rule 35, the bill was referred to the Committee on Rules and Administration.

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

S.F. No. 82: A bill for an act relating to Washington county; providing for approval of condominium floor plans by the county surveyor; prescribing fees; amending Laws 1971, chapter 820, section 1.

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 389.09, is amended to read:

389.09 [APPROVAL OF PLATS AND SURVEYS IN CERTAIN COUNTIES, AND FLOOR PLANS.]

Subdivision 1. [PLATS AND SURVEYS IN CERTAIN COUNTIES.] In any county in which there is a county surveyor and the surveyor maintains an office on a full time basis in a building maintained by the county for county purposes, the county board may by ordinance adopted in accordance with section 375.51 require that each subdivision plat or registered land survey plat shall be approved by the county surveyor before recording. The proprietor of the plat shall be charged a fee for the service in accordance with a schedule established by the board of commissioners of the county.

Subd. 2. [CONDOMINIUM FLOOR PLANS.] *Despite chapter 515, 515A, or other law to the contrary, a condominium floor plan submitted for recordation after July 31, 1985, must be approved by the county surveyor or, if the county has no full-time surveyor, then by a licensed surveyor hired for this purpose by the county, before recording. The proprietor of the condominium floor plan may be charged a fee for the service in accordance with a schedule established by resolution passed by the governing body of the county.”*

Delete the title and insert:

“A bill for an act relating to real property; requiring that condominium floor plans be approved by county surveyor before recording; amending Minnesota Statutes 1984, section 389.09.”

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

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

S.F. No. 43: A bill for an act relating to transportation; motor vehicles; exempting certain farm vehicles from the vehicle identification rule; amending Minnesota Statutes 1984, sections 221.025; and 221.031, subdivision 6.

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

Delete everything after the enacting clause and insert:

“Section 1. Minnesota Statutes 1984, section 168.013, subdivision 1e, is amended to read:

Subd. 1e. [TRUCKS; TRACTORS; COMBINATIONS; EXCEPTIONS.] On trucks and tractors except those in this chapter defined as farm trucks, and urban trucks, and on truck-tractor and semitrailer combinations except those defined as farm combinations and urban combinations and on commercial zone vehicles, the tax based on total gross weight shall be graduated according to the Minnesota base rate schedule prescribed in this subdivision, but in no event less than \$120.

Minnesota Base Rate Schedule

Scheduled taxes include five percent surtax provided for in subdivision 14

TOTAL GROSS WEIGHT IN POUNDS	TAX
A 0 - 1,500	\$ 15
B 1,501 - 3,000	20
C 3,001 - 4,500	25
D 4,501 - 6,000	35
E 6,001 - 9,000	45
F 9,001 - 12,000	70
G 12,001 - 15,000	105
H 15,001 - 18,000	145
I 18,001 - 21,000	190
J 21,001 - 26,000	270
K 26,001 - 33,000	360
L 33,001 - 39,000	470
M 39,001 - 45,000	590
N 45,001 - 51,000	710
O 51,001 - 57,000	860
P 57,001 - 63,000	1010
Q 63,001 - 69,000	1180
R 69,001 - 73,280	1320
S 73,281 - 78,000	1520
T 78,001 - 81,000	1620

For each vehicle with a gross weight in excess of 81,000 pounds an additional tax of \$50 is imposed for each ton or fraction thereof in excess of 81,000 pounds, subject to subdivision 12.

Truck-tractors except those herein defined as farm and urban truck-tractors and commercial zone vehicles shall be taxed in accord with the foregoing gross weight tax schedule on the basis of the combined gross weight of the truck-tractor and any semitrailer or semitrailers which the applicant proposes to combine with the truck-tractor. In addition, to the gross weight tax imposed on the truck-tractor, each semitrailer shall be taxed a fee of \$10 for a one-year period or \$50 for a five-year period whichever the applicant elects.

Commercial zone trucks include only trucks, truck-tractors, and semitrailer combinations which are:

(1) used by an authorized local cartage carrier operating under a permit issued under section 221.296 and whose gross transportation revenue con-

sists of at least 60 percent obtained solely from local cartage carriage, and are operated solely within an area composed of two contiguous cities of the first class and municipalities contiguous thereto as defined by section 221.011, subdivision 17; or,

(2) operated by an interstate carrier registered under section ~~221.61~~ or ~~221.62~~ 14, or by an authorized local cartage carrier or other carrier receiving operating authority under chapter 221, and operated solely within a zone exempt from regulation by the interstate commerce commission pursuant to United States Code, title 49, section 10526(b).

The license plates issued for commercial zone vehicles shall be plainly marked. A person operating a commercial zone vehicle outside the zone or area in which its operation is authorized is guilty of a misdemeanor and, in addition to the penalty therefor, shall have the registration of the vehicle as a commercial zone vehicle revoked by the registrar and shall be required to reregister the vehicle at 100 percent of the full annual tax prescribed in the Minnesota base rate schedule, and no part of this tax shall be refunded during the balance of the registration year.

On commercial zone trucks the tax shall be based on the total gross weight of the vehicle and during the first eight years of vehicle life shall be 75 percent of the Minnesota base rate schedule. During the ninth and succeeding years of vehicle life the tax shall be 50 percent of the Minnesota base rate schedule, except as otherwise provided in this subdivision. On commercial zone trucks, during the ninth and succeeding years of vehicle life, the tax shall be:

(a) for the 1982 registration year, 35 percent of the tax imposed in the Minnesota base rate schedule;

(b) for the 1983 registration year, 40 percent of the tax imposed in the Minnesota base rate schedule;

(c) for the 1984 registration year, 45 percent of the tax imposed in the Minnesota base rate schedule;

(d) for the 1985 registration year, and each succeeding year, 50 percent of the tax imposed in the Minnesota base rate schedule.

On trucks, truck-tractors and semitrailer combinations, except those defined as farm trucks and farm combinations, and except for those urban trucks and combinations and commercial zone vehicles specifically provided for in this subdivision, the tax for the first eight years of vehicle life shall be 100 percent of the tax imposed in the Minnesota base rate schedule, and during the ninth and succeeding years of vehicle life, the tax shall be 75 percent of the Minnesota base rate prescribed by this subdivision, except as otherwise provided in this subdivision.

On trucks, truck-tractors and semitrailer combinations, except those defined as farm trucks and farm combinations, and except for those urban trucks and combinations and commercial zone vehicles specifically provided for in this subdivision, during each of the first eight years of vehicle life the tax shall be:

(a) for the registration year 1982, 83 percent of the tax imposed in the Minnesota base rate schedule;

(b) for the registration year 1983, 89 percent of the tax imposed in the Minnesota base rate schedule;

(c) for the registration year 1984, 95 percent of the tax imposed in the Minnesota base rate schedule;

(d) for the registration year 1985, and each succeeding year, 100 percent of the tax imposed in the Minnesota base rate schedule.

Sec. 2. Minnesota Statutes 1984, section 174A.06, is amended to read:

174A.06 [CONTINUATION OF RULES OF PUBLIC SERVICE COMMISSION, PUBLIC UTILITIES COMMISSION, AND DEPARTMENT OF TRANSPORTATION.]

Orders and directives heretofore in force, issued or promulgated by the public service commission, public utilities commission, or the department of transportation under authority of chapters 216A, 218, 219, and 221 remain and continue in force and effect until repealed, modified, or superseded by duly authorized orders or directives of the transportation regulation board. Rules adopted by the public service commission, public utilities commission or the department of transportation under authority of the following sections are transferred to the transportation regulation board and continue in force and effect until repealed, modified, or superseded by duly authorized rules of the transportation regulation board;

(1) section 218.041 except rules related to the form and manner of filing railroad rates, railroad accounting rules, and safety rules;

(2) section 219.40;

(3) rules relating to rates or tariffs, or the granting, limiting, or modifying of permits or certificates of convenience and necessity under section 221.031, subdivision 1;

(4) rules relating to the sale, assignment, pledge, or other transfer of a stock interest in a corporation holding authority to operate as a permit carrier as prescribed in section 221.151, subdivision 1, or a local cartage carrier under section 221.296, subdivision 8;

(5) rules relating to rates, charges, and practices under section 221.161, subdivision 4; and

(6) rules relating to rates, tariffs, or the granting, limiting, or modifying of permits *under sections 221.121, 221.151, and 221.296* or certificates of convenience and necessity under section ~~221.296, subdivision 2~~ 221.071.

The board shall review the transferred rules, orders, and directives and, when appropriate, develop and adopt new rules, orders, or directives within 18 months of July 1, 1985.

Sec. 3. Minnesota Statutes 1984, section 221.011, subdivision 13, is amended to read:

Subd. 13. "Interstate carrier" means any person engaged in transporting property or passengers *for hire* in interstate commerce *in Minnesota*, from or into Minnesota, or between any point in the state of Minnesota and the Dominion of Canada.

Sec. 4. Minnesota Statutes 1984, section 221.011, subdivision 25, is

amended to read:

Subd. 25. "Courier services carrier" means any person who offers expedited door-to-door transportation of packages and articles less than 100 pounds in weight in vehicles with a ~~manufacturer's nominal rating capacity~~ *registered gross vehicle weight and gross vehicle weight rating not exceeding ~~one ton~~ 15,000 pounds.*

Sec. 5. Minnesota Statutes 1984, section 221.025, is amended to read:

221.025 [EXEMPTIONS.]

Except as provided in sections 221.031 and 221.033, the provisions of this chapter do not apply to the transportation described below:

- (a) the transportation of students to or from school or school activities in a school bus inspected and certified under section 169.451;
- (b) the transportation of rubbish as defined in section 443.27;
- (c) a commuter van as defined in section 221.011, subdivision 27;
- (d) authorized emergency vehicles as defined in section 169.01, subdivision 5, including ambulances, and tow trucks when picking up and transporting disabled or wrecked motor vehicles and when carrying proper and legal warning devices;
- (e) the transportation of grain samples under conditions prescribed by the board;
- (f) the delivery of agricultural lime;
- (g) the transportation of dirt and sod within an area having a 50-mile radius from the home post office of the person performing the transportation;
- (h) a person while exclusively engaged in the transportation of sand, gravel, bituminous asphalt mix, concrete ready mix, concrete blocks or tile, or crushed rock to or from the point of loading or a place of gathering within an area having a 50-mile radius from that person's home post office or a 50-mile radius from the site of construction or maintenance of public roads and streets;
- (i) the transportation of pulpwood, cordwood, mining timber, poles, posts, decorator evergreens, wood chips, sawdust, shavings, and bark from the place where the products are produced to the point where they are to be used or shipped;
- (j) a person while engaged exclusively in transporting fresh vegetables from farms to canneries or viner stations, from viner stations to canneries, or from canneries to canneries during the harvesting, canning, or packing season, or transporting potatoes, sugar beets, wild rice, or rutabagas from the field of production to the first place of delivery or unloading, including a processing plant, warehouse, or railroad siding;
- (k) a person engaged in transporting property or freight, other than household goods and petroleum products in bulk, entirely within the corporate limits of a city or between contiguous cities except as provided in section 221.296;
- (l) the transportation of unprocessed dairy products in bulk within an area

having a 100-mile radius from the home post office of the person providing the transportation;

(m) a person engaged in transporting agricultural, horticultural, dairy, livestock, or other farm products within an area having a 25-mile radius from the person's home post office. The carrier may transport other commodities within the 25-mile radius if the destination of each haul is a farm. ~~The owner of a truck operating under this provision shall imprint the owner's name and address in prominent visible letters on the outside of the cab of the truck.~~

Sec. 6. Minnesota Statutes 1984, section 221.031, subdivision 2, is amended to read:

Subd. 2. [PRIVATE CARRIERS.] (a) Private carriers operating vehicles licensed and registered for a gross weight of more than 12,000 pounds, shall comply with rules adopted under this section applying to maximum hours of service of drivers, safe operation of vehicles, equipment, parts and accessories, leasing of vehicles or vehicles and drivers, and inspection, repair, and maintenance.

(b) In addition to the requirements in paragraph (a), private carriers operating vehicles licensed and registered for a gross weight in excess of 26,000 pounds shall comply with rules adopted under this section relating to driver qualifications.

(c) The requirements as to driver qualifications and maximum hours of service for drivers do not apply to private carriers who are (1) public utilities as defined in section 216B.02, subdivision 4; (2) cooperative electric associations organized under chapter 308; (3) telephone companies as defined in section 237.01, subdivision 2; or (4) who are engaged in the transportation of construction materials, tools and equipment from shop to job site or job site to job site, for use by the private carrier in the new construction, remodeling, or repair of buildings, ~~structures~~ or their appurtenances.

(d) The driver qualification rule ~~does and the hours of service rules do not~~ apply to vehicles controlled by a farmer and operated by a farmer or farm employee to transport agricultural products or farm machinery or supplies to or from a farm if the vehicle is not used in the operations of a motor carrier and not carrying hazardous materials of a type or quantity that requires the vehicle to be marked or placarded in accordance with section 221.033.

Sec. 7. Minnesota Statutes 1984, section 221.031, subdivision 6, is amended to read:

Subd. 6. [VEHICLE IDENTIFICATION RULE.] The following carriers shall comply with the vehicle identification rule of the commissioner:

- (1) motor carriers, regardless of the weight of the vehicle;
- (2) private carriers operating vehicles licensed and registered for a gross weight of 12,000 pounds or more; and
- (3) vehicles providing transportation described in section 221.025 which are licensed and registered for a gross weight of 12,000 pounds or more except those providing transportation described in section 221.025, clauses (a), (c), and (d).

The vehicle identification rule of the commissioner may not be more strin-

gent than the marking requirements imposed on private carriers by the United States department of transportation under Code of Federal Regulations, title 49, section 397.21, clauses (b) and (c).

Vehicles described in clauses (2) and (3) that are operated by farmers or farm employees and have four or fewer axles are not required to comply with the vehicle identification rule of the commissioner.

Sec. 8. Minnesota Statutes 1984, section 221.131, is amended by adding a subdivision to read:

Subd. 6. [COURIER SERVICE CARRIERS; IDENTIFICATION CARDS.] The commissioner shall issue distinct annual identification cab cards for vehicles that provide courier service under a permit issued by the board. A courier service identification cab card may not be issued for a vehicle that has a registered gross vehicle weight or gross vehicle weight rating in excess of 15,000 pounds.

Sec. 9. Minnesota Statutes 1984, section 221.161, subdivision 1, is amended to read:

Subdivision 1. [FILING; HEARING UPON BOARD INITIATIVE.] Every permit carrier, including a livestock carrier *but not including a local cartage carrier*, shall file and maintain with the commissioner a *schedule of tariff showing rates and charges* for the transportation of persons or property. The filing with and acceptance by the commissioner of these tariffs, in accordance with the rules relating to the *schedules tariffs*, constitutes notice to the public and interested parties of the contents of the tariffs. *Schedules Tariffs* must be prepared and filed in accordance with the rules and regulations of the commissioner. The commissioner shall not accept for filing *schedules tariffs* which are unjust and unreasonable or unjustly discriminatory or unduly preferential or prejudicial or otherwise in violation of the provisions of this section. If the *schedules tariffs* appear to be unjust or unreasonable or unjustly discriminatory or unduly preferential or prejudicial or otherwise in violation of this section, the board after notification and investigation by the department may suspend and postpone the effective date of the *schedules tariffs* and assign the *schedules tariffs* for hearing upon notice to the permit carrier filing the proposed *schedules tariffs* and to other interested parties, including users of the service and competitive carriers by motor vehicle and rail. At the hearing, the burden of proof is on the permit carrier filing the proposed *schedule of rates and charges tariff* to sustain the validity of the proposed schedule of rates and charges. *Schedules of rates and charges Tariffs* for the transportation of livestock are not subject to rejection, suspension, or postponement by the board, except as provided in subdivisions 2 and 3. The tariffs and subsequent supplements to them or reissues of them must state the effective date, which may not be less than ten days following the date of filing, unless the period of time is reduced by special permission of the *board commissioner*.

Sec. 10. Minnesota Statutes 1984, section 221.185, subdivision 4, is amended to read:

Subd. 4. [FAILURE TO COMPLY.] *Except as provided in subdivision 5a, failure to comply with the requirements of sections 221.141 and 221.296 relating to bonds and insurance, 221.131 relating to permit renewal,*

221.071, 221.131, or 221.296 relating to annual vehicle registration or permit renewal, or to request a hearing within 45 days of the date of suspension, is deemed an abandonment of the motor carrier's permit or certificate and the permit or certificate must be canceled by the commissioner.

Sec. 11. Minnesota Statutes 1984, section 221.185, is amended by adding a subdivision to read:

Subd. 5a. [REINSTATEMENT AFTER CANCELLATION.] A motor carrier whose permit or certificate is cancelled for failure to comply with sections 221.141 and 221.296 relating to bonds and insurance may ask the board to review the cancellation. Upon review, the board shall rescind the cancellation if: (1) the motor carrier presents evidence showing that before the effective date of the notice of cancellation issued under section 221.185, subdivision 5, the motor carrier had obtained and paid for the insurance required by sections 221.141 and 221.296, and the rules of the commissioner, and (2) the commissioner informs the board that the motor carrier has complied with the requirements of sections 221.141 and 221.296 and the rules of the commissioner.

Sec. 12. Minnesota Statutes 1984, section 221.231, is amended to read:

221.231 [RECIPROCAL AGREEMENTS.]

The commissioner may enter into reciprocal agreements with the regulatory bodies of other states and the provinces of the Dominion of Canada, whereby the payment of the ~~vehicle fee fees~~ provided in section ~~221.131~~ hereof ~~14~~ may be waived in whole or in part as to ~~residents of or corporations or partnerships~~ for motor carriers having an established place of business in the ~~that state or province,~~ entering into the reciprocal agreement with the ~~commissioner,~~; provided that reciprocal privileges are extended under such the agreement to ~~residents motor carriers~~ of this state and to ~~corporations or partnerships who have an established place of business in this state.~~

Sec. 13. Minnesota Statutes 1984, section 221.291, subdivision 1, is amended to read:

Subdivision 1. [VIOLATION.] Except as provided in subdivisions 3 and 4, a person who commits, procures, aids or abets or conspires to commit, or attempts to commit, aid or abet in the violation of a provision of this chapter or a valid order or rule of the commissioner or board issued hereunder, whether individually or in connection with one or ~~other~~ more persons or as principal, agent, or accessory, shall be guilty of a misdemeanor, and every person who falsely, fraudulently, forcibly, or willfully induces, causes, coerces, requires, permits, or directs another to violate a provision of this chapter, is likewise guilty of a misdemeanor. Every distinct violation is a separate offense.

Sec. 14. [221.60] [REGISTRATION OF INTERSTATE CARRIERS.]

Subdivision 1. [PROCEDURE.] A motor carrier may transport persons or property for hire in interstate commerce in Minnesota only if it first:

(1) complies with section 221.141;

(2) either registers with the commissioner the Interstate Commerce Commission operating authority that it intends to exercise, or registers and de-

scribes the transportation it performs under an exemption contained in the Interstate Commerce Act, United States Code, title 49; and

(3) purchases an interstate identification stamp or an interstate registration trip permit for each vehicle to be used in interstate transportation in Minnesota.

Subd. 2. [FORM AND FEES.] A motor carrier engaged in interstate commerce shall register its interstate transportation authority or exemption before February 1 of each year on a form prescribed by the commissioner. The fee for the initial registration is \$25. The fee for each identification stamp is \$5; however, a lesser fee may be collected pursuant to a reciprocal agreement authorized by section 15. No fee may be collected from a local cartage carrier that provides interstate transportation only within the zone described in United States Code, title 49, section 10526(b)(1)(1984). A local cartage carrier shall register its interstate transportation each year when it pays the local cartage carrier permit or annual renewal fee.

Subd. 3. [FAILURE TO REGISTER.] Failure to register for three consecutive years cancels the carrier's registration. The commissioner must give 30 days notice of the cancellation to the carrier at the carrier's last known address.

Subd. 4. [CAB CARD.] A carrier required to register under this section shall obtain the National Association of Regulatory Utility Commissioners cab card described in Code of Federal Regulations, title 49, section 1023.36, and affix the stamp to the cab card. A cab card bearing a current Minnesota interstate identification stamp must be carried in the cab of a vehicle operated for hire in interstate commerce in Minnesota.

Subd. 5. [TEMPORARY INTERSTATE REGISTRATION.] An interstate registration trip permit valid for ten days from the date of issue may be issued to a motor carrier engaged in interstate commerce that:

(1) complies with section 221.141;

(2) either registers its interstate operating authority or registers and describes the transportation it performs under an exemption contained in the Interstate Commerce Act, United States Code, title 49; and

(3) pays a state fee of \$5 for each permit.

Subd. 6. [TRANSFER OF AUTHORIZATION DOCUMENT.] A motor carrier engaged in interstate commerce may not transfer or sell or allow another carrier to use its interstate identification stamp, its interstate registration trip permit, or its cab card. However, a cab card and identification stamp may be transferred to a leased vehicle operated under the authority of the motor carrier to whom the cab card and identification stamp were issued.

Sec. 15. Minnesota Statutes 1984, section 221.65, is amended to read:

221.65 [RECIPROCAL AGREEMENTS.]

Nothing in ~~sections 221.61 to 221.68~~ this chapter shall be construed to impair the authority of the commissioner to enter into reciprocal agreements with the regulatory bodies of other states and the provinces of the Dominion of Canada, as provided in section 221.231.

For the purposes of section 221.231, the commissioner shall be deemed to

be the successor of the department of public service. The commissioner may exercise any power, duty or function heretofore conferred by law or agreement upon the department of public service to the extent necessary to preserve any reciprocal agreement heretofore concluded under the provisions of section 221.231. Nothing in this section shall be construed to prevent the negotiation of new or replacement agreements as conditions and circumstances may warrant.

Sec. 16. Minnesota Statutes 1984, section 221.67, is amended to read:

221.67 [SERVICE OF PROCESS.]

The use of any of the public highways of this state for the transportation of persons or property for compensation by a motor carrier in interstate commerce shall be deemed an irrevocable appointment by the carrier of the secretary of state to be his true and lawful attorney upon whom may be served all legal process in any action or proceeding brought under ~~section 221.66~~ *this chapter* against him or his executor, administrator, personal representative, heirs, successors or assigns. This use is a signification of agreement by the interstate motor carrier that any process in any action against him or his executor, administrator, personal representative, heirs, successors, or assigns which is so served shall be of the same legal force and validity as if served upon him personally. Service shall be made by serving a copy thereof upon the secretary of state or by filing a copy in his office, together with payment of a fee of \$15, and the service shall be sufficient service upon the absent motor carrier if notice of the service and a copy of the process are within ten days thereafter sent by mail by the plaintiff to the defendant at his last known address and the plaintiff's affidavit of compliance with the provisions of *this section and sections 221.64 to 221.68 14, 15, and 17* is attached to the summons.

Sec. 17. Minnesota Statutes 1984, section 221.68, is amended to read:

221.68 [VIOLATIONS; PENALTIES.]

Any person who violates or procures, aids, or abets violation of, or fails to comply with, the provisions of sections ~~221.64 to 221.68 14 to 16~~ or any valid order or rule of the commissioner or board issued hereunder shall be guilty of a misdemeanor; and, additionally, shall be subject to a penalty of \$50 for each and every day of such failure to so comply, to be recovered for the state in a civil action. Each distinct violation shall be a separate offense.

Sec. 18. Minnesota Statutes 1984, section 221.81, subdivision 1, is amended to read:

Subdivision 1. [DEFINITIONS.] For the purposes of this section, the terms used in this section have the meanings given them in this subdivision.

(a) "Building mover" means a person, corporation, or other entity who raises, supports off the foundation, and moves buildings on and over public streets and highways. Building mover does not include a person who moves manufactured homes or modular homes, farmers moving their own farm buildings, or persons moving buildings which are less than 16 feet wide by 20 feet long.

(b) "Political subdivision" means a city, town, or county.

(c) "Road authority" has the meaning given it in section 160.02, subdivi-

sion 9.

Sec. 19. [REPEALER.]

Minnesota Statutes 1984, sections 221.296, subdivision 2; 221.61; 221.62; 221.63; 221.64; and 221.66, are repealed.

Sec. 20. [EFFECTIVE DATE.]

Sections 1, 2, 5, 6, 7, 10, 11, 12, 13, 15, 16, 17, 18, and 19 are effective the day following final enactment."

Delete the title and insert:

"A bill for an act relating to transportation; regulating motor carriers; establishing gross vehicle weight limits for courier service vehicles; providing that hours of service rules do not apply to farm vehicles; exempting certain farm vehicles from the vehicle identification rule; providing for rescission of cancelled permits if a carrier has insurance coverage; excluding modular home movers from regulation as building movers; amending Minnesota Statutes 1984, sections 168.013, subdivision 1e; 174A.06; 221.011, subdivisions 13 and 25; 221.025; 221.031, subdivisions 2 and 6; 221.131, by adding a subdivision; 221.161, subdivision 1; 221.185, subdivision 4, and by adding a subdivision; 221.231; 221.291, subdivision 1; 221.65; 221.67; 221.68; 221.81, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 221; repealing Minnesota Statutes 1984, sections 221.296, subdivision 2; 221.61; 221.62; 221.63; 221.64; and 221.66."

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. 71: A bill for an act relating to commerce; providing for payment to a farm implement retailer by the manufacturer, wholesaler, or distributor who repurchases inventory; requiring the payment of interest on overdue accounts; amending Minnesota Statutes 1984, section 325E.06, subdivision 1.

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. 152: A bill for an act relating to insurance; accident and health; providing for the extraterritorial application of mandated maternity benefits for unmarried women; amending Minnesota Statutes 1984, section 62A.041.

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. 230: A bill for an act relating to commerce; authorizing industrial

loan and thrifts to sell certain evidences of indebtedness; establishing different certificate of authorization requirements for corporations that will and will not sell or issue thrift certificates; modifying certain application and examination duties of the department of commerce; providing simplified requirements for the issuance of more than one certificate of authorization to the same corporation; clarifying the right of industrial loan and thrifts to collect certain additional loan charges; exempting certain mortgage purchasers and assignees from licensing as regulated lenders; prohibiting industrial loan and thrifts from using the words "savings and loan" in their corporate names; authorizing regulated lenders to make loans up to ten percent of capital; modifying the licensing provisions governing regulated lenders; providing for changes in business locations of regulated lenders; increasing the minimum default charge that may be charged; providing for the determination of interest; authorizing certain additional loan charges; and providing alternative loan disclosure requirements; amending Minnesota Statutes 1984, sections 48.151; 53.03, subdivisions 1, 2, 2a, 3a, 5, and 7; 53.04, subdivision 3a; 53.05; 56.01; 56.04; 56.07; 56.12; 56.125, subdivision 4; 56.131, subdivisions 1, 2, and 4; repealing Minnesota Statutes 1984, section 53.03, subdivision 4.

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

Page 2, line 13, delete everything after "of"

Page 2, line 14, delete "checks, or"

Page 2, line 15, after the first comma, insert "provided that these instruments are issued in conformity with the Uniform Commercial Code,"

Page 2, line 15, after "or" insert "is"

Page 3, line 1, delete "only comply with" and insert "not comply with subdivision 2b."

Page 3, lines 2 to 6, delete the new language

Page 5, after line 7, insert:

"Sec. 5. Minnesota Statutes 1984, section 53.03, is amended by adding a subdivision to read:

Subd. 2b. [ADDITIONAL DUTIES; THRIFT CERTIFICATES FOR INVESTMENT.] If an application includes the right to issue thrift certificates for investment the department of commerce must, in addition to the duties in subdivision 2, make a determination that there is a reasonable public demand for that company and that the probable volume of business in that location is sufficient to insure the solvency of any then existing industrial loan and thrift companies or banks in that locality, without endangering the safety of the company or bank in the locality as a place for investing or depositing public and private money."

Page 5, lines 22, 23, and 27, strike "commission" and insert "commissioner"

Page 6, line 13, strike everything after the period

Page 6, strike lines 14 and 15

Page 6, line 16, strike "state."

Page 6, after line 34, insert:

"Sec. 9. Minnesota Statutes 1984, section 53.03, subdivision 8, is amended to read:

Subd. 8. [INVESTIGATION.] Upon receiving an application, the department of commerce shall make or cause to be made, an investigation of the application to determine that the corporation is in a solvent condition, meets current thrift industry standards of management quality and asset condition, is in compliance with the requirements of this chapter and that the approval of the application will not have an adverse effect upon the solvency of any existing industrial loan and thrift company selling and issuing certificates for investment or banks in the locality, or endanger the safety of any company or bank in the locality as a place for investing or depositing public and private money. If, upon completion of its investigation and any hearing provided for in subdivision 7, it appears to the department of commerce that the requirements for approval contained in this subdivision have been met, the application shall be approved. In all other cases, the application shall be denied. As a condition of approval, the capital funds of the applicant corporation shall not be less than the total amount which the department of commerce considers necessary having in mind the potential for the issuance of certificates for investment by the applicant. The procedure in subdivision 3a shall be followed in decisions, notice, and hearing of applications for consent to sell and issue thrift certificates for investment by issuance of an amended certificate of authorization."

Page 9, line 24, strike "or"

Page 9, line 34, strike the period and insert "; or"

Page 9, after line 34, insert:

"(8) issue cashier's checks pursuant to section 48.151, unless and at all times the aggregate liability to all creditors on these instruments is protected by a special fund in cash or due from banks to be used solely for payment of the cashier's checks."

Page 15, line 20, after "amount" strike "of" and insert "not exceeding"

Page 15, line 21, delete "permanent" and insert "contributed"

Page 15, line 21, after "capital" insert "and appropriated reserves as defined in section 53.015"

Page 15, line 21, after the second "a" insert "corporate"

Page 18, line 3, delete "\$5" and insert "\$4"

Page 18, after line 3, insert:

"A default charge under this subdivision may be collected only once on an installment however long it remains in default. No default charge may be collected with respect to a deferred installment unless the installment is not paid within ten days of its deferred due date. A default charge may be collected at the time it accrues or at any time thereafter."

A default charge under this subdivision may not be collected on an install-

ment paid in full within ten days of its scheduled or deferred installment due date even though a default or deferral charge on an earlier installment has not been paid in full. For purposes of this subdivision, a payment is deemed to have been applied first to the current installment if the payment is paid in full within ten days of the installment due date as scheduled or deferred and then to default installments, default charges, and any deferral charges agreed to in writing."

Pages 19 and 20, delete section 16

Page 21, after line 23, insert:

"Sec. 19. Minnesota Statutes 1984, section 56.19, is amended by adding a subdivision to read:

Subd. 2a. [PENALTY FOR INTENTIONAL VIOLATIONS.] Any lender intentionally violating this chapter, when the violation does not also constitute a violation of any other provision of state or federal law for which there is a remedy, shall be liable to the consumer in an amount not to exceed \$250 for each violation.

Sec. 20. Minnesota Statutes 1984, section 56.19, subdivision 4, is amended to read:

Subd. 4. [REMEDIES EXCLUSIVE.] The remedies set forth in this section and section 48.196 are exclusive and, except as otherwise provided in this chapter, A violation of any provision of this chapter does not impair rights on a debt.

Sec. 21. Minnesota Statutes 1984, section 550.37, subdivision 4a, is amended to read:

Subd. 4a. [ADJUSTMENT OF DOLLAR AMOUNTS.] (a) The dollar amounts in subdivision 4 this section shall change periodically as provided in this subdivision to the extent of changes in the implicit price deflator for the gross national product, 1972 = 100, compiled by the United States department of commerce, and hereafter referred to as the index. The index for December, 1982 1980, is the reference base index.

(b) The designated dollar amounts shall change on July 1 of each even-numbered year if the percentage of change, calculated to the nearest whole percentage point, between the index for December of the preceding year and the reference base index is ten percent or more. The portion of the percentage change in the index in excess of a multiple of ten percent shall be disregarded and the dollar amounts shall change only in multiples of ten percent of the amounts stated in subdivision 4 this section.

(c) If the index is revised, the percentage of change pursuant to this section shall be calculated on the basis of the revised index. If a revision of the index changes the reference base index, a revised reference base index shall be determined by multiplying the reference base index then applicable by the rebasing factor furnished by the department of commerce. If the index is superseded, the index referred to in this section is the one represented by the department of commerce as reflecting most accurately changes in the purchasing power of the dollar for consumers.

(d) The commissioner of commerce shall announce and publish:

(1) on or before April 30 of each year in which dollar amounts are to change, the changes in dollar amounts required by paragraph (b); and

(2) promptly after the changes occur, changes in the index required by paragraph (c) including, if applicable, the numerical equivalent of the reference base index under a revised reference base index and the designation or title of any index superseding the index.

(e) A person does not violate this chapter with respect to a transaction otherwise complying with this chapter if he relies on dollar amounts either determined according to paragraph (b) or appearing in the last publication of the commissioner announcing the then current dollar amounts."

Page 21, line 28, delete "18" and insert "22"

Renumber the sections in sequence

Amend the title as follows:

Page 1, after line 23, insert "providing that certain violations do not impair obligations of a contract; providing penalties; providing for certain dollar adjustments;"

Page 1, line 25, delete "and" and after "7" insert ", 8, and by adding a subdivision"

Page 1, line 27, delete ", 2,"

Page 1, line 28, after the semicolon, insert "56.19, subdivision 4, and by adding a subdivision; and 550.37, subdivision 4a;"

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

SECOND READING OF SENATE BILLS

S.F. Nos. 424, 245, 82, 43, 71, 152 and 230 were read the second time.

MOTIONS AND RESOLUTIONS

Mr. Diessner moved that the names of Messrs. Pogemiller and Merriam be added as co-authors to S.F. No. 35. The motion prevailed.

Mr. Davis moved that the name of Mr. DeCramer be added as a co-author to S.F. No. 221. The motion prevailed.

Mr. Dicklich moved that the name of Mr. Nelson be added as a co-author to S.F. No. 239. The motion prevailed.

Mr. Benson moved that the names of Messrs. Moe, R.D.; Frank and Waldorf be added as co-authors to S.F. No. 382. The motion prevailed.

Mr. Pogemiller moved that the name of Mr. Wegscheid be added as a co-author to S.F. No. 418. The motion prevailed.

Mr. Peterson, C.C. moved that the names of Messrs. Moe, R.D.; Langseth; DeCramer and Stumpf be added as co-authors to S.F. No. 604. The motion prevailed.

Mr. Petty moved that the name of Mr. Merriam be added as a co-author to

S.F. No. 611. The motion prevailed.

Mr. Pogemiller moved that the name of Mr. Wegscheid be added as a co-author to S.F. No. 650. The motion prevailed.

Mr. Merriam moved that the name of Mr. DeCramer be added as a co-author to S.F. No. 656. The motion prevailed.

Mr. Nelson moved that the name of Mr. Dieterich be added as a co-author to S.F. No. 666. The motion prevailed.

Mr. Storm moved that S.F. No. 272 be withdrawn from the Committee on Agriculture and Natural Resources and returned to its author. The motion prevailed.

Mr. Ramstad moved that S.F. No. 595 be withdrawn from the Committee on Health and Human Services and returned to its author. The motion prevailed.

Mr. Wegscheid introduced—

Senate Resolution No. 30: A Senate resolution extending congratulations to Lona Williams for being selected Minnesota's Junior Miss.

Referred to the Committee on Rules and Administration.

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

Senate Concurrent Resolution No. 10: A Senate concurrent resolution expressing the sense of the Senate and House of Representatives in support of the concentration of small business assistance programs within the Small Business Administration.

Referred to the Committee on Rules and Administration.

CALENDAR

H.F. No. 68: A bill for an act relating to trusts; eliminating the requirement of qualifying trustees in certain cases; amending Minnesota Statutes 1984, section 524.3-913.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 57 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

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

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

The question was taken on the passage of the bill.

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

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

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

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 59 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

S.F. No. 47: A bill for an act relating to animals; increasing penalties for certain cruel acts against animals; clarifying what acts constitute torture; amending Minnesota Statutes 1984, section 343.21, subdivisions 1 and 9, and by adding a subdivision.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 53 and nays 4, as follows:

Those who voted in the affirmative were:

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

Messrs. Benson, Kamrath, Knutson and Mrs. Kronebusch voted in the negative.

So the bill passed and its title was agreed to.

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.

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 59 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

S.F. No. 276: A bill for an act relating to notaries; providing procedures for various notarial acts; enacting the uniform law on notarial acts; providing that matters to be verified by oath or affirmation may be declared under penalty of perjury; imposing a penalty; amending Minnesota Statutes 1984, sections 358.15; and 609.48, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 358; repealing Minnesota Statutes 1984, sections 358.32 to 358.40.

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 59 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

S.F. No. 331: A bill for an act relating to health; permitting the county coroner to remove the pituitary gland from a body under certain circumstances; proposing coding for new law in Minnesota Statutes, chapter 390.

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 59 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

S.F. No. 450: A bill for an act relating to taxation; providing for collection of outstate liabilities; changing certain time limitations; changing tax lien provisions; providing for certain disclosures; changing entry for confessions of judgment; amending Minnesota Statutes 1984, sections 270.06; 270.063; 270.66, subdivision 1; 270.68, subdivisions 1 and 4; 270.69, subdivisions 1, 2, 3, and 4; 270.70, subdivisions 1 and 13; 290.49, subdivision 7; 290.58; 290.92, subdivisions 6 and 23; 296.15, subdivision 6; 297A.34, subdivision 5; 297A.42, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 270; repealing Minnesota Statutes 1984, section 270.69, subdivision 5.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 59 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

INTRODUCTION AND FIRST READING OF SENATE BILLS

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

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

S.F. No. 668: A bill for an act relating to taxation; property; eliminating the required county board approval prior to confession of judgment for delinquent taxes; amending Minnesota Statutes 1984, section 279.37, subdivision 3.

Referred to the Committee on Taxes and Tax Laws.

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

S.F. No. 669: A bill for an act relating to human services; providing for a larger state share of general assistance costs; amending Minnesota Statutes 1984, section 256D.03, subdivision 2.

Referred to the Committee on Health and Human Services.

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

S.F. No. 670: A bill for an act relating to St. Louis county; fixing the maximum amount of the county emergency fund; amending Minnesota Statutes 1984, section 383C.016.

Referred to the Committee on Local and Urban Government.

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

S.F. No. 671: A bill for an act relating to education; increasing the compensation for election judges in school district consolidation elections; amending Minnesota Statutes 1984, section 122.23, subdivision 12.

Referred to the Committee on Elections and Ethics.

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

S.F. No. 672: A bill for an act relating to taxation; property; allowing taxes on commercial-industrial property to be composed to confession of judgment and paid in ten annual installments; amending Minnesota Statutes 1984, sec-

tion 279.37, subdivision 1.

Referred to the Committee on Taxes and Tax Laws.

Mr. Hughes, Ms. Peterson, D.C.; Messrs. Peterson, D.L.; Storm and Pogemiller introduced—

S.F. No. 673: A bill for an act relating to elections; making changes in registration, caucuses, ballots, affidavits of candidacy and withdrawal, nominations, election certificates, and election judge qualifications; amending Minnesota Statutes 1984, sections 201.018, subdivision 2; 201.095; 201.12, subdivision 2; 201.15, subdivision 1; 202A.11, subdivision 2; 202A.16, subdivision 1; 204B.03; 204B.06, subdivision 1; 204B.07, subdivision 4; 204B.09, subdivision 1; 204B.10, by adding a subdivision; 204B.12, subdivision 3; 204B.35, subdivision 2; 204C.40, subdivision 1; 204D.11, subdivisions 3, 5, and 6; 206.71, by adding a subdivision; and 208.03; repealing Minnesota Statutes 1984, section 204B.19, subdivision 3.

Referred to the Committee on Elections and Ethics.

Mr. DeCramer introduced—

S.F. No. 674: A bill for an act relating to veterans; permitting the commissioner of veterans affairs to charge a fee for serving as guardian for certain veterans; amending Minnesota Statutes 1984, section 196.051, by adding a subdivision.

Referred to the Committee on Veterans and General Legislation.

Mr. Schmitz, Mrs. Adkins, Mr. Purfeerst, Mrs. Kronebusch and Mr. Bernhagen introduced—

S.F. No. 675: A bill for an act relating to transportation; authorizing designation of minimum-maintenance roads by resolution of local road authorities; exempting road authorities from liability for damages arising from reduced maintenance standards on minimum-maintenance roads; providing penalties; amending Minnesota Statutes 1984, sections 160.01, subdivision 1; 160.02, subdivisions 7 and 9; 160.04; 160.07; 160.09; 160.10, subdivisions 1, 2, and 8; 160.11, subdivision 2; 160.13; 160.16, by adding a subdivision; 160.17; 160.18, subdivision 3; 160.20; 160.201, subdivision 1; 160.21; 160.215; 160.22, subdivision 1; 160.23; 160.24; 160.25, subdivisions 1 and 3; 160.26; 160.27; 160.29, subdivision 1; 160.292, subdivisions 5 and 9; 161.16, subdivisions 1, 4, and 5; 161.18; 161.19; 161.202, subdivision 1; 161.24; 161.25; 162.02, subdivisions 6, 7, and 10; 162.08, subdivisions 3 and 4; 162.081, subdivision 4; 162.09, subdivisions 8 and 9; 163.02; 163.03; 163.035; 163.04, subdivisions 1 and 2; 163.11; 163.111; 163.13, subdivision 1; 163.14; 163.16; 164.02; 164.03, subdivisions 1, 2, and 4; 164.04; 164.041; 164.05, subdivisions 1 and 2; 164.06; 164.07; 164.08, subdivision 2; 164.09, subdivision 1; 164.11; 164.12; 164.13, subdivision 1; 164.14; 164.15; 164.151; and 164.155; proposing coding for new law in Minnesota Statutes, chapter 160.

Referred to the Committee on Transportation.

Mr. Chmielewski, Mmes. Adkins, Kronebusch, Messrs. Bernhagen and Schmitz introduced—

S.F. No. 676: A bill for an act relating to towns; authorizing the conduct of town business at places located outside the town; amending Minnesota Statutes 1984, sections 365.51 and 365.52; proposing coding for new law in Minnesota Statutes, chapter 365.

Referred to the Committee on Local and Urban Government.

Mr. Ramstad and Ms. Olson introduced—

S.F. No. 677: A bill for an act relating to human services; allowing the commissioner of human services to lease Oak Terrace Nursing Home for certain purposes; amending Minnesota Statutes 1984, section 251.011, subdivision 4.

Referred to the Committee on Health and Human Services.

Messrs. Purfeerst; Peterson, D.L.; Isackson; Johnson, D.J. and Frank introduced—

S.F. No. 678: A bill for an act relating to horseracing; authorizing the commission to adopt certain drug rules; amending Minnesota Statutes 1984, section 240.24.

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

Messrs. Lessard; Johnson, D.J.; Bernhagen; Willet and Stumpf introduced—

S.F. No. 679: A bill for an act relating to natural resources; providing for annual timber harvest public informational meetings; amending Minnesota Statutes 1984, section 90.041, subdivision 4.

Referred to the Committee on Agriculture and Natural Resources.

Messrs. Ramstad, Benson, Mrs. Brataas and Ms. Olson introduced—

S.F. No. 680: A bill for an act relating to human services; eliminating the presumption of eligibility from the general assistance program; amending Minnesota Statutes 1984, section 256D.07.

Referred to the Committee on Health and Human Services.

Messrs. Wegscheid; Nelson; Peterson, C.C.; Renneke and Ms. Olson introduced—

S.F. No. 681: A bill for an act relating to retirement; extending the deadline for applications for unreduced annuities by certain teachers; amending Minnesota Statutes 1984, section 356.70, subdivision 1.

Referred to the Committee on Governmental Operations.

Mr. Petty, Mrs. Lantry, Ms. Peterson, D.C. and Mr. Hughes introduced—

S.F. No. 682: A bill for an act relating to human services; eliminating exclusions to licensing of child care programs; establishing qualifications for

licensers; amending Minnesota Statutes 1984, sections 245.791; and 245.804, subdivision 1.

Referred to the Committee on Health and Human Services.

Mrs. Lantry, Messrs. Johnson, D.E.; Petty; Solon and Dicklich introduced—

S.F. No. 683: A bill for an act relating to human services; allowing additional income disregard for certain general assistance recipients; amending Minnesota Statutes 1984, section 256D.06, by adding a subdivision.

Referred to the Committee on Health and Human Services.

Messrs. Dahl; Samuelson; Willet; Moe, R.D. and Taylor introduced—

S.F. No. 684: A bill for an act relating to health; requiring insurance coverage for special dietary treatment for phenylketonuria; providing an educational testing program; allowing a deduction for the costs of the special dietary treatment; amending Minnesota Statutes 1984, sections 62E.06, subdivision 1; and 290.089, subdivision 2; proposing coding for new law in Minnesota Statutes, chapters 62A and 144.

Referred to the Committee on Health and Human Services.

Messrs. Peterson, C.C.; Lessard; Novak; Berg and Merriam introduced—

S.F. No. 685: A bill for an act proposing an amendment to the Minnesota Constitution, article XI, adding a section; dedicating a portion of the state sales tax revenue to the game and fish fund.

Referred to the Committee on Agriculture and Natural Resources.

Ms. Peterson, D.C.; Messrs. Freeman, Dahl, Mrs. Adkins and Mr. Laidig introduced—

S.F. No. 686: A bill for an act relating to insurance; requiring insurance on home service contracts; regulating sales; requiring disclosures; proposing coding for new law in Minnesota Statutes, chapter 60A.

Referred to the Committee on Economic Development and Commerce.

Messrs. Ramstad and Luther introduced—

S.F. No. 687: A bill for an act relating to state government; requiring the commissioner of administration to develop a plan for a suggestion system to include citizens from outside state government.

Referred to the Committee on Governmental Operations.

Messrs. Frank and Petty introduced—

S.F. No. 688: A bill for an act relating to alcoholic beverages; prohibiting practices by licensees which may tend to increase consumption of alcoholic beverages; amending Minnesota Statutes 1984, section 340.14, by adding a subdivision.

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

Mrs. Lantry, Messrs. Knaak; Waldorf; Moe, D.M. and Hughes introduced—

S.F. No. 689: A bill for an act relating to Ramsey county; providing for the creation, organization, powers, and duties of a personnel system; providing penalties; amending Minnesota Statutes 1984, sections 383.405; and 383A.41, subdivision 5; proposing coding for new law in Minnesota Statutes, chapter 383A; repealing Minnesota Statutes 1984, sections 383A.28; 383A.29; 383A.30; and 383A.31.

Referred to the Committee on Local and Urban Government.

Messrs. Merriam; Johnson, D.E.; Spear; Petty and Kamrath introduced—

S.F. No. 690: A bill for an act relating to courts; abolishing the county and probate court; transferring the jurisdiction, cases, records, and employees of that court to the district court; merging the municipal and conciliation courts with the district court in the second and fourth judicial districts; transferring the jurisdiction, cases, records, and employees of those courts to the district court; providing that municipal, probate and county judges learned in the law are district judges; providing that the county court judge not learned in the law is an associate judge; limiting the creation of additional referee, law clerk, courtroom bailiff, and courtroom deputy clerk positions; requiring each judicial district to prepare a reorganization plan; amending Minnesota Statutes 1984, sections 2.722, subdivision 1; 484.01; 484.545, subdivision 1; 484.69, subdivision 1; and 484.70, subdivision 1; proposing coding for new law in Minnesota Statutes, chapters 484, 487, and 488A; repealing Minnesota Statutes 1984, section 487.191.

Referred to the Committee on Judiciary.

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

S.F. No. 691: A bill for an act relating to human services; providing for participation by Indian tribes in the placement of their children; proposing coding for new law in Minnesota Statutes, chapter 257.

Referred to the Committee on Health and Human Services.

Messrs. Chmielewski, Diessner, Bertram and Lessard introduced—

S.F. No. 692: A bill for an act relating to veterans; clarifying certain veteran benefit definitions to include veterans who have served in the Grenada campaign or with the peacekeeping forces in the Lebanon campaign; amending Minnesota Statutes 1984, sections 136C.13, subdivision 3; 198.01; and 462A.05, subdivision 19.

Referred to the Committee on Veterans and General Legislation.

Messrs. Spear; Waldorf; Peterson, R.W.; Ramstad and Knaak introduced—

S.F. No. 693: A bill for an act relating to crimes; providing for forfeitures of communications devices and proceeds derived from commission of designated offenses; amending Minnesota Statutes 1984, section 609.531.

Referred to the Committee on Judiciary.

Mr. Pogemiller introduced—

S.F. No. 694: A bill for an act relating to state government; proposing an amendment to the Minnesota Constitution, article IV, section 23; article V, sections 1, 3, and 4; article VII, section 8; article VIII, section 2; article XI, sections 6, 7, 8, and 10; and article XIII, section 11; combining the offices of state treasurer, state auditor, and secretary of state into the office of state comptroller.

Referred to the Committee on Governmental Operations.

Mr. Waldorf, Mrs. Lantry, Messrs. Frederickson, Merriam and Kamrath introduced—

S.F. No. 695: A bill for an act relating to courts; providing that venue for hearings for certain pregnant women shall be the county in which the woman resides; amending Minnesota Statutes 1984, section 144.343, by adding a subdivision.

Referred to the Committee on Judiciary.

Mr. Ramstad introduced—

S.F. No. 696: A bill for an act relating to taxation; motor vehicle excise; exempting transfers by a business to an owner in certain cases; amending Minnesota Statutes 1984, section 297B.03.

Referred to the Committee on Transportation.

Mr. Johnson, D.J. introduced—

S.F. No. 697: A bill for an act relating to taxation; income; changing certain filing and payment dates for corporate estimated tax declarations; amending Minnesota Statutes 1984, section 290.932, subdivision 1; and 290.933, subdivision 1.

Referred to the Committee on Taxes and Tax Laws.

Mr. Taylor introduced—

S.F. No. 698: A bill for an act relating to intoxicating liquor; authorizing the city of North Mankato to issue one short-term, on-sale liquor license.

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

Messrs. Wegscheid; Johnson, D.J.; Merriam; Frederickson and Gustafson introduced—

S.F. No. 699: A bill for an act relating to fish and game; establishing life-

time licenses to take big game, small game, and fish; providing restrictions for the licenses; providing for payment of lifetime licenses by installments; allowing credit for a previously purchased lifetime license when purchasing another; dedicating license fee receipts and restricting expenditure of investment income; establishing license fees; amending Minnesota Statutes 1984, section 98.46, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 98.

Referred to the Committee on Agriculture and Natural Resources.

Messrs. Johnson, D.E.; Samuelson and Benson introduced—

S.F. No. 700: A bill for an act relating to health; encouraging philanthropic support of nonprofit hospitals and nursing homes; providing that funds derived from specified types of gifts or grants shall not be deducted from the operating costs of a nursing home; proposing coding for new law in Minnesota Statutes 1984, chapter 144.

Referred to the Committee on Health and Human Services.

Mr. Mehrkens introduced—

S.F. No. 701: A bill for an act creating an advisory council to study the possibility of the creation of a unicameral legislature in Minnesota.

Referred to the Committee on Elections and Ethics.

Messrs. Hughes; Nelson; Pehler; Peterson, R.W. and Peterson, D.L. introduced—

S.F. No. 702: A bill for an act relating to education; establishing comprehensive learning programs; providing for the award of grants; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 129B.

Referred to the Committee on Education.

Messrs. Merriam, Spear, Knutson and Samuelson introduced—

S.F. No. 703: A bill for an act relating to human services; appropriating money for services to persons who are both deaf and blind.

Referred to the Committee on Health and Human Services.

Messrs. Pehler; Nelson; Peterson, R.W.; Taylor and Mehrkens introduced—

S.F. No. 704: A bill for an act relating to education; requiring school districts to assess pupils in core curricular areas; requiring the state board to adopt measurable learning expectations for districts to use at their option; requiring a state curriculum advisory committee; requiring an annual curriculum report by the state board; appropriating money; amending Minnesota Statutes 1984, section 123.742, subdivisions 1, 3, and 5, and by adding subdivisions; proposing coding for new law in Minnesota Statutes, chapter 126; repealing Minnesota Statutes 1984, section 123.742, subdivision 2.

Referred to the Committee on Education.

Messrs. Freeman, Luther, Wegscheid, Anderson and Solon introduced—

S.F. No. 705: A bill for an act relating to financial institutions; authorizing interstate acquisition and formation of banks between this state and certain states on a reciprocal basis; proposing coding for new law in Minnesota Statutes, chapter 48.

Referred to the Committee on Economic Development and Commerce.

Messrs. Peterson, D.L.; Knutson; Ramstad; Dahl and Ms. Olson introduced—

S.F. No. 706: A bill for an act relating to education; changing the basic maintenance mill rate to 16 mills; amending Minnesota Statutes 1984, section 124A.02, subdivision 7.

Referred to the Committee on Education.

Messrs. Moe, D.M.; Wegscheid; Renneke; Pogemiller and Spear introduced—

S.F. No. 707: A bill for an act relating to retirement; Minnesota state retirement system unclassified plan; including certain state university administrators and faculty; directing a transfer of funds; amending Minnesota Statutes 1984, section 352D.02, subdivision 1.

Referred to the Committee on Governmental Operations.

Mr. Moe, D.M. introduced—

S.F. No. 708: A bill for an act relating to the legislature; providing for expanded authority of the legislative coordinating commission; amending Minnesota Statutes 1984, sections 3.095; 3.29, subdivision 7; 3.30, subdivision 2; 3.3025, subdivision 2; 3.303, subdivision 3; 3.304, subdivision 2a; 3.305; 3.351, subdivision 5; 3.85, subdivision 5; 3.855, by adding a subdivision; 3.865, subdivision 7; 3.9222, subdivision 6; 3.97, subdivision 5; 3C.02, subdivision 5; 3C.10, subdivision 3; 14.39; 16B.24; 16B.58, subdivision 6; 43A.18, subdivision 6; 86.08, subdivision 1; 115A.14, subdivision 2; 161.1419, subdivision 4; and 298.22, subdivision 2; Laws 1983, chapter 199, section 17, subdivision 5; proposing coding for new law in Minnesota Statutes, chapter 1; repealing Minnesota Statutes 1984, section 3.304, subdivisions 1 and 5.

Referred to the Committee on Governmental Operations.

Messrs. Jude, Knaak, Wegscheid, Ms. Reichgott and Mr. Merriam introduced—

S.F. No. 709: A bill for an act relating to courts; raising the jurisdictional limit on claims heard in conciliation court; amending Minnesota Statutes 1984, sections 487.30, subdivision 1; 488A.12, subdivision 3; 488A.14, subdivision 6; 488A.29, subdivision 3; and 488A.31, subdivision 6.

Referred to the Committee on Judiciary.

Mr. Freeman introduced—

S.F. No. 710: A bill for an act relating to courts; providing that tax court

judges must be learned in the law; permitting retired tax court judges and district court judges to serve on the tax court; amending Minnesota Statutes 1984, section 271.01, subdivision 1, and by adding a subdivision.

Referred to the Committee on Judiciary.

Messrs. Vega; Waldorf; Spear; Johnson, D.J. and Knaak introduced—

S.F. No. 711: A bill for an act relating to utilities; energy; providing that costs of certain investments and expenses for refuse-derived fuel facilities not be considered for rate-making purposes; amending Minnesota Statutes 1984, section 216B.16, subdivision 6.

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

Messrs. Vega; Waldorf; Spear; Johnson, D.J. and Knaak introduced—

S.F. No. 712: A bill for an act relating to utilities; requiring utilities to file annual conservation plans; amending Minnesota Statutes 1984, section 216B.16, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 216B.

Referred to the Committee on Energy and Housing.

ADJOURNMENT

Mr. Moe, R.D. moved that the Senate do now adjourn until 2:00 p.m., Thursday, March 7, 1985. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate