

## FORTY-FOURTH DAY

St. Paul, Minnesota, Wednesday, April 24, 1985

The Senate met at 1:00 p.m. and was called to order by the President.

Prayer was offered by the Chaplain, Rev. Darryl Bell.

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

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

The President declared a quorum present.

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

## REPORTS OF COMMITTEES

Mr. Moe, R.D. moved that the Committee Reports at the Desk be now adopted, with the exception of reports pertaining to appointments. The motion prevailed.

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

S.F. No. 1362: A bill for an act relating to statutes; revising the text of certain laws to remove redundant and obsolete language, to simplify grammar and syntax, and to improve the style of language without causing changes in the meaning of the laws affected; amending Minnesota Statutes 1984, chapters 35; 37; 92; 219; 315; 344; 390; 458; 589; 629; and 631; Laws 1959, chapter 699, section 4; Laws 1961, chapter 545, section 1; Laws 1963, chapters 254, section 1; and 827, section 1; Laws 1965, chapter 344, as amended; Laws 1967, chapter 541, section 1, as amended; Laws 1971, extra session, chapter 35, sections 7, 8, and 9; Laws 1974, chapter 218; Laws 1975, chapter 326, section 1; Laws 1976, chapter 234, section 3, as

amended; Laws 1979, chapters 269, section 1; and 303, article 10, section 16; Laws 1980, chapter 453, section 1; and chapter 595, section 5; Laws 1982, chapter 523, article 24, section 2; Laws 1983, chapters 110, sections 1 and 2; and 257, section 1; Laws 1984, chapters 397, section 1; 498, section 1; and 548, section 9; repealing Minnesota Statutes 1984, sections 458.13; 458.16, subdivision 3; 458.192, subdivision 3a; 458.41; 458.50; 458.51; 458.52; 458.54; 458.55; 458.56; 458.57; 458.58; and 458.60.

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

Page 191, delete lines 7 to 24

Page 208, delete lines 15 to 36

Page 209, delete lines 1 to 8

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

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

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

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

Page 1, delete section 1 and insert:

"Section 1. [REPEALER.]

*Minnesota Statutes 1984, section 260.019, subdivision 3, is repealed."*

Amend the title as follows:

Page 1, line 4, delete "amending" and insert "repealing"

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. 1434: A bill for an act relating to real estate; providing for service in forcible entry and unlawful detainer actions; amending Minnesota Statutes 1984, section 566.06.

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

Page 2, line 2, delete "*personal or substitute*"

Page 2, line 3, delete "*or by the sheriff or constable*" and insert "*, with at least one of the attempts having been made between the hours of 6:00 and 10:00 p.m.*"

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. 1363: A bill for an act relating to Minnesota Statutes; correcting erroneous, ambiguous, omitted, and obsolete references and text; eliminating certain redundant, conflicting, and superseded provisions; reenacting certain laws; providing instructions to the revisor; amending Minnesota Statutes 1984, sections 3C.12, subdivision 2; 8.31, subdivision 2; 13.37, subdivision 2; 14.47, subdivision 8; 16A.065; 16A.133, subdivision 1; 16B.64, subdivision 2; 21.92; 35.09, subdivision 1; 42.09, subdivision 9; 46.046, subdivision 1; 47.101, subdivisions 2 and 3; 47.29, subdivision 1; 47.30, subdivisions 2 and 3; 47.51; 48.89, subdivision 1; 60A.03, subdivision 2; 62D.04, subdivision 1; 62D.041, subdivision 5; 62D.09; 62H.06; 83.23, subdivision 3; 106.631, subdivisions 2 and 4; 116J.58, subdivision 4; 122.531, subdivisions 3a and 5; 124A.03, subdivision 3; 204B.14, subdivision 5; 214.13, subdivision 4; 240.16, subdivision 6; 256B.431, subdivision 4; 257.67, subdivision 3; 260.121, subdivision 3; 268.04, subdivision 32; 268.08, subdivision 1; 268.675, subdivision 1; 270.84, subdivision 1; 290.531; 290A.111, subdivision 2; 296.18, subdivision 1; 297A.391; 307.06; 309.502; 349.51, subdivision 5; 352.01, subdivision 2A; 360.531, subdivision 7; 363.071, subdivision 1; 388.051, subdivision 2; 422A.101, subdivision 2; 453.55, subdivision 11; 473.384, subdivision 6; 473.446, subdivision 1; 474.17, subdivision 3; 474.19, subdivisions 3 and 7; 519.01; 525.619; 571.41, subdivision 5b; amending Laws 1984, chapter 463, article 7, section 53, subdivision 2; reenacting Minnesota Statutes 1984, sections 10A.31, subdivision 5; 62D.03, subdivision 4; repealing Minnesota Statutes 1984, sections 124A.035, subdivision 6; 177.295; 204B.19, subdivision 3; repealing Laws 1977, chapter 434, sections 4 and 5; chapter 386, section 1; Laws 1978, chapter 772, section 8; Laws 1980, chapter 522, section 4; Laws 1983, chapter 222, section 14; chapter 247, sections 122, 176, and 217; chapter 253, section 19; chapter 299, section 20; chapter 301, section 220; chapter 314, article 11, section 19; chapter 359, section 149; Laws 1984, chapter 464, section 12, clause (g), and the second paragraph after clause (g); chapter 468, section 1; chapter 471, sections 14, 15, and 16; chapter 514, article 2, section 13; chapter 541, section 1; chapter 543, section 8; chapter 618, section 59; that part of Laws 1984, chapter 629, section 2, that amends section 375.193; Laws 1984, chapter 638, section 3; chapter 654, article 2, section 118.

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. 591: A bill for an act relating to attachments; providing procedures for the prejudgment seizure of property; amending Minnesota Statutes 1984, sections 570.01; 570.02; 570.08; 570.11; 570.12; and 570.14; repealing Minnesota Statutes 1984, sections 570.013; 570.03; 570.04; 570.05; 570.06; 570.07; 570.09; 570.093; and 570.13; proposing coding for new law in Minnesota Statutes, chapter 570.

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

Page 5, line 31, delete "*and shall take precedence over all other*" and

insert a period

Page 5, line 32, delete everything before "At"

Page 10, line 15, delete "\$70.04" and insert "6"

Page 11, line 1, delete "\$1,000" and insert "\$500"

Page 11, line 21, after the first comma, insert "a letter of credit,"

Page 13, line 26, delete "reorder" and insert "recorder"

Page 17, line 12, before "and" insert "570.10;"

Amend the title as follows:

Page 1, line 7, before "and" insert "570.10;"

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

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

H.F. No. 648: A bill for an act relating to state departments and agencies; transferring authority for administration of the rural rehabilitation corporation trust liquidation act from the state executive council to the commissioner of energy and economic development; creating a governor's rural development council; proposing coding for new law in Minnesota Statutes, chapter 116J; repealing Minnesota Statutes 1984, section 9.36.

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

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

S.F. No. 580: A bill for an act relating to the city of Lakeville; appropriating money to return a forfeiture.

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

Delete everything after the enacting clause and insert:

"Section 1. [LAKEVILLE BOND APPLICATION DEPOSIT REFUND.]

*\$16,044 is appropriated from the general fund to the energy and economic development authority to refund an industrial development bond allocation application deposit under Minnesota Statutes, section 474.19, to the city of Lakeville.*

Sec. 2. [EFFECTIVE DATE.]

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

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

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

S.F. No. 429: A bill for an act relating to industrial development bonds;

requiring the refund of application deposits to the city of Fergus Falls; appropriating money for the refund.

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

Delete everything after the enacting clause and insert:

“Section 1. [FERGUS FALLS BOND APPLICATION DEPOSIT REFUND.]

*\$30,000 is appropriated from the general fund to the energy and economic development authority to refund an industrial development bond allocation application deposit under Minnesota Statutes, section 474.19, to the city of Fergus Falls.*

Sec. 2. [EFFECTIVE DATE.]

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

Amend the title as follows:

Page 1, line 3, delete “deposits” and insert “deposit”

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

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

S.F. No. 684: A bill for an act relating to health; requiring insurance coverage for special dietary treatment for phenylketonuria; providing a testing program; allowing a deduction for the costs of the special dietary treatment; appropriating money; 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.

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

Page 2, line 1, delete everything after the period

Page 2, delete line 2

Page 4, line 30, delete everything after the period

Page 4, delete line 31

Pages 6 and 7, delete section 6

Amend the title as follows:

Page 1, line 6, delete “appropriating money;”

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

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

S.F. No. 251: A bill for an act relating to nursing homes; establishing an educational program for resident and family advisory councils; authorizing a surcharge on license fees; requiring evaluation and a report to the legislature

by the Minnesota board on aging; appropriating money; amending Minnesota Statutes 1984, sections 256B.421, subdivision 8; and 256B.431, subdivision 2b; proposing coding for new law in Minnesota Statutes, chapter 144A.

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

Page 2, line 4, after "fee" insert "for nursing homes and boarding care homes" and after "section" insert "144.53 or"

Page 2, line 5, delete "\$2" and insert "\$1"

Page 2, line 7, delete "APPROPRIATION;"

Page 2, line 10, delete "Money in"

Page 2, delete lines 11 and 12

Page 2, line 14, after "programs" insert "and funding sources"

Page 5, after line 7, insert:

"Sec. 4. [APPROPRIATION.]

*Money in the nursing home advisory council fund is appropriated to the Minnesota board on aging for the purposes of section 1 to be available until June 30, 1987."*

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

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

S.F. No. 627: A bill for an act relating to natural resources; grants and loans for certain dam reconstruction and repair projects; appropriating money; amending Laws 1979, chapter 300, section 4, subdivisions 2, as amended, 3 and 4; and Laws 1981, chapter 361, section 3, subdivision 3.

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

Page 3, line 7, after "DIKES" insert ";; HANOVER DAM"

Page 3, after line 13, insert:

"Subd. 2. [HANOVER DAM REMOVAL.] \$85,000 is appropriated from the state building fund to the commissioner of natural resources for the state's contribution toward the cost of removal of the Hanover dam on the Crow River, in Wright and Hennepin counties, the cost of repair of erosion damage to river banks, and the cost of restoring wetlands drained as a result of failure of the dam. The state's contribution is available only if the counties, cities, and other local governmental units in which the dam is located contribute an equal amount of money for these same purposes. The dam removal, bank repair, and wetland restoration work shall be done under a joint powers or similar agreement entered into by the local units of government and approved by the commissioner. The state and local units of government may seek recovery of their costs, including costs related to initial breaking of the dam, from any private person who has an ownership interest in the dam, damsite, or abutments."

Page 3, line 14, delete "2" and insert "3"

Page 3, line 15, delete "subdivision 1" and insert "subdivisions 1 and 2"

Page 3, line 17, delete "\$250,000" and insert "\$335,000"

Amend the title as follows:

Page 1, line 3, delete "and repair" and insert ", repair, and removal"

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

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

S.F. No. 742: A bill for an act relating to agriculture; authorizing conservation reserve contracts covering marginal agricultural land; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 17.

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

Delete everything after the enacting clause and insert:

"Section 1. [40.41] [DEFINITIONS.]

*Subdivision 1. [APPLICABILITY.] The definitions in this section apply to sections 1 to 4.*

*Subd. 2. [COMMISSIONER.] "Commissioner" means the commissioner of agriculture.*

*Subd. 3. [MARGINAL AGRICULTURAL LAND.] "Marginal agricultural land" means erosive land that is composed of class IIIe, IVe, V, VI, VII, or VIII soil, as identified in the land capability classification system of the United States department of agriculture and the county soil survey.*

Sec. 2. [40.43] [CONSERVATION RESERVE PROGRAM.]

*Subdivision 1. [AUTHORITY.] The commissioner may contract with landowners for the conservation of marginal agricultural land. The contracts must be for a period of five to ten years with provision for renewal for an additional five- to ten-year period. The commissioner may adjust payment rates for a renewal period after examining the condition of the established cover, land values, and crop values. A contract may not provide for payment of more than \$10,000 to a landowner in any year. Contracts under this section are exempt from contractual provisions of chapter 16B.*

*Subd. 2. [ELIGIBLE LAND.] Land may be placed in the conservation reserve program if the land:*

- (1) is marginal agricultural land;*
- (2) is privately owned;*
- (3) is not currently set aside or diverted under another federal or state government program; and*
- (4) has been in crop production or rotation pasture in at least two of the prior five years.*

*Subd. 3. [LANDOWNER'S AGREEMENT.] (a) The contract must require the landowner:*

*(1) to place marginal agricultural land in the program for the period of the contract;*

*(2) not to place more than 20 percent of the landowner's total acreage within the state in the program, unless the land has previously been in a conservation program approved by the commissioner;*

*(3) to seed the land by the date specified in the contract and establish and maintain a continuous cover either of a grass-legume mixture or of native grasses for the term of the contract at seeding rates determined by the commissioner, and, if required by the commissioner, to plant trees on the land;*

*(4) not to burn, fill, impair, or destroy the wildlife habitat and other natural features of the land;*

*(5) not to use the land for agricultural crop production purposes as determined by the commissioner;*

*(6) to prevent livestock from grazing on land in the program, unless a severe drought or other natural disaster has occurred and the approval of the commissioner is obtained after the commissioner has consulted with the commissioner of natural resources;*

*(7) not to conduct chemical spraying or mowing, except for spot weed control necessary to comply with noxious weed control laws or emergency control of pests necessary to protect public health;*

*(8) not to convert other wetlands, woodlots, shelterbelts, windbreaks, brushlands, native prairie, or wild hay land that has not been in crop production and is a part of the same farm operation to the production of wheat, corn, oats, barley, soybeans, grain or cane sorghum, sugar beets, forage crops, or pasture during the term of the contract;*

*(9) to forfeit all rights to further payments and to refund to the state all payments received under the contract if the contract is violated and the commissioner determines that the violation warrants termination of the contract; and*

*(10) to comply with additional provisions required by the commissioner.*

*(b) The commissioner may require that the landowner make refunds or accept payment adjustments if the commissioner determines that a violation by the landowner does not warrant termination of the contract.*

*Subd. 4. [COMMISSIONER'S AGREEMENT.] The commissioner must:*

*(1) make a payment to the landowner to establish the cover crop required by the contract in an amount up to \$75 per acre as determined by the commissioner;*

*(2) make a payment to the landowner to pay the cost of planting trees required by the contract in an amount up to \$75 per acre;*

*(3) make annual payments to the landowner for the period of the contract at a rate equal to five percent of the most recent fair market value of the land in the program, as established by the county assessor; and*



(4) provide advice about soil and water conservation through the local soil and water conservation district in cooperation with field personnel of the department of natural resources.

Subd. 5. [CONTRACT RENEWAL.] A contract may be renewed at the end of the contract period for an additional period of five to ten years by mutual agreement of the commissioner and the landowner, subject to a rate adjustment by the commissioner. If the landowner sells or otherwise transfers the ownership or right of occupancy of the land during the contract period, the new landowner is subject to the original contract unless a new contract is entered.

Subd. 6. [CONTRACT TERMINATION.] The commissioner may terminate a contract by mutual agreement with the owner if the commissioner determines that the termination would be in the public interest. The commissioner may agree to a modification of a contract that is necessary to carry out the purposes of the program or facilitate its administration.

### Sec. 3. [40.45] [COOPERATION AND TECHNICAL ASSISTANCE.]

Subdivision 1. [COOPERATION.] In implementing section 2, the commissioner must share information and cooperate with the commissioner of natural resources, the United States Fish and Wildlife Service, the Agricultural Stabilization and Conservation Service and Soil Conservation Service of the United States Department of Agriculture, the agricultural extension service of the University of Minnesota, county boards, and interested private organizations and individuals.

Subd. 2. [TECHNICAL ASSISTANCE.] The commissioner must provide technical assistance through the local soil and water conservation districts to landowners enrolled in the conservation reserve program. The commissioner of natural resources must provide technical advice and assistance to the commissioner on the form and content of the conservation reserve contract and on cultural practices relating to the establishment and maintenance of permanent cover. The commissioners of agriculture and natural resources shall jointly prepare an informational booklet about state and federal programs for land acquisition, conservation, and retirement and make the booklets available to the public.

### Sec. 4. [40.47] [RULES.]

The commissioner may adopt rules to administer and implement sections 2 and 3.

### Sec. 5. [APPROPRIATION.]

§ \_\_\_\_\_ is appropriated from the general fund to the commissioner of agriculture for the period ending June 30, 1987, to carry out the provisions of sections 1 to 4. No more than ten percent shall be expended for administrative expenses, including technical assistance.

### Sec. 6. [EFFECTIVE DATE.]

Sections 1 to 5 are effective the day following final enactment."

Amend the title as follows:

Page 1, line 5, delete "17" and insert "40"

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

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

S.F. No. 5: A bill for an act relating to alcoholic beverages; temporarily increasing the age for licensing, sale, purchase, consumption, possession, and furnishing of alcoholic beverages; establishing programs for the prevention of alcohol-impaired driving among young drivers and for education on avoidable health risks; increasing the fee for the reinstatement of drivers licenses revoked for alcohol-related violations; appropriating money; amending Minnesota Statutes 1984, sections 171.29, subdivision 2; 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:

Pages 1 and 2, delete section 1 and insert:

"Section 1. Minnesota Statutes 1984, section 171.29, subdivision 2, is amended to read:

Subd. 2. ~~Any~~ A person whose drivers license has been revoked as provided in subdivision 1, except under section 169.121 or 169.123, shall pay a \$30 fee before his drivers license is reinstated. A person whose drivers license has been revoked as provided in subdivision 1 under section 169.121 or 169.123 shall pay a ~~\$400~~ \$150 fee before his drivers license is reinstated; ~~75 percent~~ \$75 of this fee shall be credited to the trunk highway fund ~~and 25 percent~~, \$25 shall be credited to the general fund, ~~and \$50 shall be credited to a special account. Money in the account is appropriated to the commissioner of education for grants to school districts to develop curriculum relating to, and programs for education in elementary and secondary schools on, avoidable health risks related to alcohol and other drugs. The state board of education shall adopt rules for the distribution of the grants."~~

Page 3, delete lines 10 to 20 and insert:

"Subdivision 1. [DEFINITION.] (a) As used in this chapter, "minor" means an individual who has not attained the age of 21 years.

(b) If United States Code, title 23, section 158, is declared unconstitutional by the United States court of appeals for the eighth circuit or by the United States supreme court, or if section 158 is repealed by the congress of the United States or otherwise invalidated, or if the enforcement of section 158 is enjoined or stayed, "minor" means an individual who has not attained the age of 19 years."

Page 7, line 20, delete "prior to that"

Page 7, delete lines 21 and 22

Page 7, line 23, delete "court of appeals, or in the event that"

Page 7, line 24, delete "both"

Page 7, line 25, delete "and nonintoxicating malt liquor"

Amend the title as follows:

Page 1, line 2, delete "temporarily"

Page 1, line 5, delete "the prevention of"

Page 1, delete line 6

Page 1, line 7, after "risks" insert "related to alcohol and other drugs"

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

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

S.F. No. 818: A bill for an act relating to employment and economic opportunity; providing for the streamlining and coordination of job, economic development, and income-maintenance programs; setting as dual goals the lowering of unemployment rates and welfare caseloads; creating the board for the blind; abolishing the department of economic security; creating a new department of employment and training; transferring responsibilities of the department of economic security to the department of employment and training and the department of human services; transferring certain employment and training functions of the department of human services and the department of administration to the department of employment and training; providing for biennial statewide plans for employment and training and apprenticeships; providing for coordination of state and federal jobs programs; establishing community investment programs; granting rulemaking authority; changing formulas for paying local agencies for general assistance grants to recipients subject to work requirements; removing a sunset provision from the Minnesota emergency employment development act; appropriating money; amending Minnesota Statutes 1984, sections 86.33, by adding subdivisions; 116J.035, by adding a subdivision; 116L.03, subdivision 7; 116L.04, by adding a subdivision; 129A.02, subdivision 2; 136.63, by adding a subdivision; 136C.06; 178.03, by adding a subdivision; 245.87; 248.07; 248.08; 256.736; 256.737; 256C.24; 256C.25; 256C.26; 256D.02, subdivision 13; 256D.03, subdivision 2; 256D.09, subdivision 3, and by adding a subdivision; 256D.111, subdivision 2; 268.04, by adding subdivisions; 268.08, by adding a subdivision; 268.31; 268.32; 268.33; 268.34; 268.35; 268.36; 268.672, subdivision 6; 268.676, subdivision 1; and 268.686; proposing coding for new law in Minnesota Statutes, chapter 268; proposing coding for new law as Minnesota Statutes, chapters 267 and 268A; repealing Minnesota Statutes 1984, sections 129A.02, subdivision 4; 245.84, subdivision 2; 256.736, subdivisions 1 and 2; 256D.02, subdivision 8a; 256D.111, subdivision 1a; 256D.112; 268.011; 268.012; 268.013; 268.12, subdivisions 1 and 1a; 268.683, subdivision 2; 268.684; 268.80; and 268.81.

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

Page 2, line 4, delete "profound"

Page 2, after line 25, insert:

"Sec. 2. Minnesota Statutes 1984, section 15A.081, subdivision 1, is amended to read:

Subdivision 1. The governor shall set the salary rate within the ranges

listed below for positions specified in this subdivision, upon approval of the legislative commission on employee relations and the legislature as provided by section 43A.18, subdivisions 2 and 5:

	Salary Range Effective July 1, 1983
Commissioner of education;	\$57,500-\$70,000
Commissioner of finance;	
Commissioner of transportation;	\$50,000-\$60,000
Commissioner of human services;	
Chancellor, community college system;	
Chancellor, state university system;	
Director, vocational technical education;	
Executive director, state board of investment;	
<i>Coordinator of full productivity and opportunity;</i>	
Commissioner of administration;	
Commissioner of agriculture;	
Commissioner of commerce;	
Commissioner of corrections;	\$40,000-\$52,500
Commissioner of <del>economic</del> security	
<i>employment and training;</i>	
Commissioner of employee relations;	
Commissioner of energy and economic development;	
Commissioner of health;	
Commissioner of labor and industry;	
Commissioner of natural resources;	
Commissioner of revenue;	
Commissioner of public safety;	
Chairperson, waste management board;	
Chief administrative law judge; office of administrative hearings;	
Director, pollution control agency;	
Director, state planning agency;	
Executive director, higher education coordinating board;	
Executive director, housing finance agency;	
Executive director, teacher's retirement association;	
Executive director, state retirement system;	
Commissioner of human rights;	
Director, department of public service;	
Commissioner of veterans' affairs;	
Director, bureau of mediation services;	
Commissioner, public utilities commission;	
Member, transportation regulation board;	
Director, zoological gardens."	

Page 2, line 35, after the semicolon, insert "*the ways in which exclusive bargaining representatives shall be notified and concurrence provided for with respect to the job duties of persons employed in projects;*"

Page 3, line 4, after "REPORTING" insert "; CORPS MEMBER

## STATUS; FEES"

Page 3, line 8, after the period, insert "*Corps members are not eligible for unemployment compensation or other benefits except workers' compensation, and they are not employees of the state of Minnesota within the meaning of section 43A.02, subdivision 21. The commissioner may charge a fee for any service performed by the corps.*"

Page 3, line 24, delete "PLANS" and insert "PLAN"

Page 6, line 16, strike "human"

Page 6, line 17, strike "services" and insert "*employment and training*"

Page 6, line 29, before "For" insert "*Notwithstanding any other law,*"

Page 9, line 3, strike "human services" and insert "*employment and training*"

Page 15, line 9, delete the period

Page 15, lines 10 to 13, delete the new language

Page 16, delete lines 10 to 18

Page 17, lines 13 and 14, delete the new language

Page 17, lines 14 and 16, strike "1985" and insert "1987"

Page 17, lines 18 to 20, delete the new language

Page 18, line 12, strike "the department of"

Page 18, line 13, delete the new language and insert "*responsible departments and administrative authorities*"

Page 18, line 14, strike "human"

Page 18, line 15, strike "services"

Page 19, line 16, delete "44" and insert "45"

Page 19, after line 20, insert:

"Sec. 20. [256C.265] [COUNCIL FOR THE HEARING IMPAIRED.]

*Subdivision 1. [MEMBERSHIP.] There is created the Minnesota council for the hearing impaired within the department of human services. The council consists of seven members appointed by the commissioner and a representative of each advisory council established under section 256C.24, subdivision 3. At least four of the members appointed by the commissioner must be hearing impaired. Council members are appointed for four-year terms, except for the members first appointed, of whom three are appointed for a term ending December 31, 1990, two for terms ending December 31, 1989, and two for terms ending December 31, 1988.*

*Subd. 2. [REMOVAL; VACANCIES.] The compensation, removal of members, and filling of vacancies on the council shall be as provided in section 15.0575.*

*Subd. 3. [DUTIES.] The council shall:*

*(1) advise the commissioner regarding the development of policies, programs, services affecting the hearing impaired, and on the use of appropriate federal funds;*

(2) create a public awareness of the special needs and potentialities of hearing impaired persons; and

(3) provide the commissioner with a review of ongoing services, programs, and proposed legislation affecting the hearing impaired."

Page 19, line 29, delete "50" and insert "51"

Page 19, line 34, strike "1" and insert "1a"

Page 20, line 5, delete "50" and insert "51"

Page 21, line 25, before the semicolon, insert "standard if the recipient were not employed"

Page 21, line 34, after "advised" insert "no later than six months"

Page 21, line 35, delete "received" and insert "begun to receive" and delete "for six months"

Page 22, line 1, delete "50" and insert "51"

Page 22, line 4, delete "similar" and insert "comparable" and after the first "work" insert "in that locality"

Page 23, lines 21, 28, and 30, strike "economic security" and insert "employment and training"

Page 24, line 8, before "join" insert "one or more counties operating under a" and delete "power" and insert "powers" and after "or" insert "a"

Page 24, line 9, before the period, insert "designated under the jobs training partnership act or under sections 268.671 to 268.686"

Page 28, line 2, delete everything after the period

Page 28, delete lines 3 to 7

Page 28, line 12, delete "50" and insert "51"

Page 28, line 15, before "support" insert "job related" and after "services" insert "not to exceed ten percent of the allocation"

Page 28, line 16, after "in" insert "public or"

Page 28, delete lines 19 to 21 and insert "cooperate with the commissioner of human services in determining and implementing the most effective means of disregarding a youth's earnings from family income for purposes of the aid to families with dependent children program, to the extent permitted by the federal government."

Pages 29 and 30, delete section 32

Page 31, line 36, delete "37 to 41" and insert "38 to 42"

Page 32, line 3, delete "267.03" and insert "41" and delete "6" and insert "2"

Page 32, line 15, delete "occupational" and insert "opportunities"

Page 32, line 20, before "aid" insert "unemployment compensation,"

Page 32, line 28, before "joint" insert "one or more counties operating

under a" and delete "power" and insert "powers" and after "or" insert "a"

Page 32, line 29, before the period, insert "*designated under the jobs training partnership act or under sections 268.671 to 268.686*"

Page 33, line 17, delete everything after "15A.081"

Page 33, line 18, delete everything before the period

Page 33, line 21, delete "37" and insert "38" and delete "40" and insert "41"

Page 33, line 33, delete "38" and insert "39"

Page 34, lines 5 and 15, delete "38" and insert "39"

Page 34, line 30, delete "coordinator" and insert "commissioner"

Page 35, line 20, delete "government" and insert "governments"

Page 35, line 27, delete "38" and insert "39"

Page 36, line 2, delete "by" and insert "between"

Page 36, line 19, after "resources," insert "and public safety,"

Page 38, line 27, delete everything after "be" and insert "based on"

Page 38, line 28, delete "weight to"

Page 38, line 29, delete everything after "unit"

Page 38, line 30, delete "state" and delete "12-month" and insert "most recent six-month" and delete everything after "period"

Page 38, line 31, delete "public" and insert "general" and delete "recipients" and insert "cases and aid to families with dependent children cases"

Page 38, line 32, delete everything after "unit"

Page 38, line 33, delete "recipients in the state" and delete "12-month" and insert "most recent six-month" and delete "ending the most"

Page 38, line 34, delete "recent March 31"

Page 39, line 11, delete "For the"

Page 39, delete lines 12 to 14

Page 39, line 17, delete "For"

Page 39, delete lines 18 to 20

Page 39, line 30, delete "president" and insert "chancellor"

Page 41, line 30, delete "and"

Page 41, line 32, delete the period and insert "; and

(7) have authority to make emergency and permanent rules to carry out the purposes of this chapter."

Page 43, line 12, delete "and"

Page 43, line 14, after "intake," insert "referral, and" and after "inven-

tory" delete ", and"

Page 43, line 15, delete "referral" and delete "35" and insert "41" and delete the period and insert " ; and"

Page 43, after line 15, insert:

*"(13) consult with the council for the blind on matters pertaining to programs and services for the blind and visually impaired."*

Page 43, line 19, delete "may" and insert "shall"

Page 46, after line 10, insert:

*"Subd. 5. The commissioner of employment and training shall establish a supported work program for recipients of aid to families with dependent children who have received public assistance for more than three years and who are residents of counties that have had more than three percent of their aid to families with dependent children recipients on such assistance for three years or longer. The goals of the supported work program must be made a part of the biennial plan of the commissioner."*

Page 46, line 18, delete "43 to 57" and insert "44 to 55"

Page 46, line 27, delete "occupational" and insert "opportunities"

Page 47, line 8, before "staff" insert "or out-stationed"

Page 47, line 13, before the period, insert "and shall establish the circumstances under which the requirements for co-location or out-stationing may be waived"

Page 48, line 24, delete "In developing community"

Page 48, delete line 25

Page 48, line 26, delete everything before "In" and insert "The coordinator shall prohibit use of participants in the programs to do the work that was part or all of the duties or responsibilities of an authorized public employee position established as of January 1, 1985. The exclusive bargaining representative shall be provided notice in advance of any placements in a community investment program. Concurrence with respect to job duties of persons placed under the community investment program shall be obtained from the appropriate exclusive bargaining representative."

Page 48, line 27, delete "counties must incorporate into their" and insert "a county's"

Page 48, line 28, delete "plans" and insert "plan must (a) plan for"

Page 48, line 35, before the period, insert " ; and (b) plan for placements in programs that do not replace work that was part or all of the duties or responsibilities of an authorized public employee position established as of January 1, 1985"

Page 50, line 12, after "(2)" insert "develop community investment programs in consultation with the exclusive representatives of their employees ;

(3)"

Page 50, line 17, delete "which" and insert "utilizing existing programs



that"

Page 50, line 18, delete "other"

Page 50, line 19, after "cities," insert "counties,"

Renumber the clauses in sequence

Page 51, line 13, before "shall" insert "or general assistance"

Page 51, line 17, delete "43 to 57" and insert "44 to 55"

Page 51, line 20, delete "50" and insert "75"

Page 51, line 23, delete "50" and insert "25"

Page 53, line 22, delete "and certified service"

Page 53, line 23, delete "providers"

Page 54, line 4, delete "August" and insert "June"

Page 54, line 7, after the period, insert "Allocations must be made by July 1 of each odd-numbered year."

Page 55, after line 11, insert:

*"(d) If a disproportionate amount of the funds are provided to any one of the groups described in section 55, subdivision 4, paragraph (a), the county board shall document to the commissioner the reason the group received a disproportionate share."*

Page 55, line 22, after "program" insert "with demonstrated effectiveness may be"

Page 55, line 24, delete "is" and insert "as"

Page 57, line 1, after the period, insert "Responsibilities of the department of human services specified in sections 12, 13, 14, and 21, together with designated support functions, are transferred to the department of employment and training."

Page 57, line 3, after the period, insert "Commencing with the passage and signing of this act, the commissioners of economic security, human services, administration, finance, and employee relations shall cooperate in assuring a smooth transfer of the designated personnel, equipment, and supplies to carry out the purposes of this act."

Page 57, line 8, delete "54" and insert "55"

Pages 59 and 60, delete section 58 and insert:

"Sec. 59. [TRANSFER.]

*The commissioner of finance shall transfer, according to section 15.039, positions and appropriations for existing programs and agencies as required by this act."*

Page 60, line 14, delete "55" and insert "56"

Page 60, line 15, delete "36" and insert "37" and delete "11" and insert "12" and delete "14" and insert "15"

Page 60, line 16, delete "54" and insert "55"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 7, delete "board" and insert "councils for the hearing impaired and"

Page 1, line 24, delete "appropriating money;"

Page 1, line 25, after "sections" insert "15A.081, subdivision 1;"

Page 1, line 35, delete "268.35;"

Page 1, line 38, delete "chapter" and insert "chapters 256C and"

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

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

H.F. No. 852: A bill for an act relating to state lands; directing conveyance of an easement over certain state lands to the city of Duluth.

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

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

S.F. No. 1070: A bill for an act relating to environment; providing for state grants for the construction of collector sewers in totally unsewered cities; amending Minnesota Statutes 1984, section 116.16, subdivision 2.

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

Page 2, line 23, after "ponds" insert "*the construction of collector sewers for totally unsewered statutory and home rule charter cities and towns described under section 368.01, subdivision 1 or subdivision 1a, that are in existence as of January 1, 1985.*"

Page 2, lines 26 to 30, delete the new language

Page 2, line 31, strike "the provision of"

Page 2, line 32, strike "collector sewers as defined in agency rules,"

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

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

H.F. No. 1388: A resolution memorializing the President, Congress, and the Secretary of Agriculture to require certain minimum levels of solids-not-fat in fluid milk marketed for direct human consumption.

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

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

S.F. No. 1202: A bill for an act relating to environment; requiring the commissioner of health to monitor the quality of water in private water wells in the metropolitan area; amending Minnesota Statutes 1984, section 473.845, subdivision 2.

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

Page 1, line 14, delete "and" and insert "*water supply wells and may monitor*"

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

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

H.F. No. 399 for comparison with companion Senate File, reports the following House File was found not identical with companion Senate File as follows:

GENERAL ORDERS		CONSENT CALENDAR		CALENDAR	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
399	377				

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H.F. No. 399 be amended as follows:

Delete all the language after the enacting clause of H.F. No. 399 and insert the language after the enacting clause of S.F. No. 377, the second engrossment; further, delete the title of H.F. No. 399 and insert the title of S.F. No. 377, the second engrossment.

And when so amended H.F. No. 399 will be identical to S.F. No. 377, and further recommends that H.F. No. 399 be given its second reading and substituted for S.F. No. 377, and that the Senate File be indefinitely postponed.

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

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

H.F. No. 1113 for comparison with companion Senate File, reports the following House File was found not identical with companion Senate File as follows:

GENERAL ORDERS		CONSENT CALENDAR		CALENDAR	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
1113	795				

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H.F. No. 1113 be amended as follows:

Delete all the language after the enacting clause of H.F. No. 1113 and

insert the language after the enacting clause of S.F. No. 795, the first engrossment; further, delete the title of H.F. No. 1113 and insert the title of S.F. No. 795, the first engrossment.

And when so amended H.F. No. 1113 will be identical to S.F. No. 795, and further recommends that H.F. No. 1113 be given its second reading and substituted for S.F. No. 795, and that the Senate File be indefinitely postponed.

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

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

H.F. No. 1570 for comparison with companion Senate File, reports the following House File was found identical and recommends the House File be given its second reading and substituted for its companion Senate File as follows:

GENERAL ORDERS		CONSENT CALENDAR		CALENDAR	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
1570	1197				

and that the above Senate File be indefinitely postponed.

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

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

H.F. No. 507 for comparison with companion Senate File, reports the following House File was found identical and recommends the House File be given its second reading and substituted for its companion Senate File as follows:

GENERAL ORDERS		CONSENT CALENDAR		CALENDAR	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
507	536				

and that the above Senate File be indefinitely postponed.

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

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

H.F. No. 863 for comparison with companion Senate File, reports the following House File was found identical and recommends the House File be given its second reading and substituted for its companion Senate File as follows:

**GENERAL ORDERS**H.F. No. S.F. No.  
863 833**CONSENT CALENDAR**

H.F. No. S.F. No.

**CALENDAR**

H.F. No. S.F. No.

and that the above Senate File be indefinitely postponed.

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

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

H.F. No. 886 for comparison with companion Senate File, reports the following House File was found identical and recommends the House File be given its second reading and substituted for its companion Senate File as follows:

**GENERAL ORDERS**H.F. No. S.F. No.  
886 1057**CONSENT CALENDAR**

H.F. No. S.F. No.

**CALENDAR**

H.F. No. S.F. No.

and that the above Senate File be indefinitely postponed.

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

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

H.F. No. 558 for comparison with companion Senate File, reports the following House File was found not identical with companion Senate File as follows:

**GENERAL ORDERS**H.F. No. S.F. No.  
558 541**CONSENT CALENDAR**

H.F. No. S.F. No.

**CALENDAR**

H.F. No. S.F. No.

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H.F. No. 558 be amended as follows:

Delete all the language after the enacting clause of H.F. No. 558 and insert the language after the enacting clause of S.F. No. 541, the first engrossment; further, delete the title of H.F. No. 558 and insert the title of S.F. No. 541, the first engrossment.

And when so amended H.F. No. 558 will be identical to S.F. No. 541, and further recommends that H.F. No. 558 be given its second reading and substituted for S.F. No. 541, and that the Senate File be indefinitely postponed.

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

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

H.F. No. 368 for comparison with companion Senate File, reports the following House File was found not identical with companion Senate File as follows:

GENERAL ORDERS		CONSENT CALENDAR		CALENDAR	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
368	1037				

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H.F. No. 368 be amended as follows:

Delete all the language after the enacting clause of H.F. No. 368 and insert the language after the enacting clause of S.F. No. 1037, the first engrossment; further, delete the title of H.F. No. 368 and insert the title of S.F. No. 1037, the first engrossment.

And when so amended H.F. No. 368 will be identical to S.F. No. 1037, and further recommends that H.F. No. 368 be given its second reading and substituted for S.F. No. 1037, and that the Senate File be indefinitely postponed.

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

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

H.F. No. 418 for comparison with companion Senate File, reports the following House File was found not identical with companion Senate File as follows:

GENERAL ORDERS		CONSENT CALENDAR		CALENDAR	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
418	438				

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H.F. No. 418 be amended as follows:

Delete all the language after the enacting clause of H.F. No. 418 and insert the language after the enacting clause of S.F. No. 438, the second engrossment; further, delete the title of H.F. No. 418 and insert the title of S.F. No. 438, the second engrossment.

And when so amended H.F. No. 418 will be identical to S.F. No. 438, and further recommends that H.F. No. 418 be given its second reading and substituted for S.F. No. 438, and that the Senate File be indefinitely postponed.

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

Mr. Johnson, D.J. from the Committee on Taxes and Tax Laws, to which was referred the following appointment as reported in the Journal for February 7, 1985:

TAX COURT  
Jean Stepan

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.

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

H.F. No. 847 for comparison with companion Senate File, reports the following House File was found not identical with companion Senate File as follows:

GENERAL ORDERS		CONSENT CALENDAR		CALENDAR	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
847	41				

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H.F. No. 847 be amended as follows:

Delete all the language after the enacting clause of H.F. No. 847 and insert the language after the enacting clause of S.F. No. 41, the first engrossment; further, delete the title of H.F. No. 847 and insert the title of S.F. No. 41, the first engrossment.

And when so amended H.F. No. 847 will be identical to S.F. No. 41, and further recommends that H.F. No. 847 be given its second reading and substituted for S.F. No. 41, and that the Senate File be indefinitely postponed.

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

## SECOND READING OF SENATE BILLS

S.F. Nos. 1362, 1434, 1363, 591, 580, 429, 684, 251, 627, 5, 818, 1070 and 1202 were read the second time.

## SECOND READING OF HOUSE BILLS

H.F. Nos. 83, 648, 852, 1388, 399, 1113, 1570, 507, 863, 886, 558, 368, 418 and 847 were read the second time.

## MOTIONS AND RESOLUTIONS

Messrs. Spear, Lessard, Chmielewski and Schmitz introduced—

Senate Resolution No. 73: A Senate resolution expressing the sense of the Senate that the President of the United States should not pay tribute to those who perpetrated the holocaust.

Referred to the Committee on Rules and Administration.

Messrs. Frederickson; Moe, R.D.; Bernhagen; Chmielewski and Isackson introduced—

Senate Concurrent Resolution No. 16: A Senate concurrent resolution

congratulating Minnesota Rural Electric Cooperatives on their 50th Anniversary.

Referred to the Committee on Rules and Administration.

Remaining on the Order of Business of Motions and Resolutions, Mr. Moe, R.D. moved that the Senate take up the Consent Calendar. The motion prevailed.

### CONSENT CALENDAR

S.F. No. 896: A bill for an act relating to energy; providing for the method of calculating the payback of certain energy conservation investments; amending Minnesota Statutes 1984, section 116J.37, subdivision 1.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 63 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

H.F. No. 656: A bill for an act relating to local government; allowing for an increase in the appropriation a county may make for a county humane society in any year; authorizing the Otter Tail county board to adopt an ordinance for the control of dogs and cats; amending Minnesota Statutes 1984, section 343.11.

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 65 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.



H.F. No. 1254: A bill for an act relating to local government; permitting insurance and indemnification of certain municipal electric power personnel; correcting a statutory cross reference; amending Minnesota Statutes 1984, section 453.55, subdivision 11.

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 67 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

Remaining on the Order of Business of Motions and Resolutions, pursuant to Rule 10, Mr. Moe, R.D., Chairman of the Subcommittee on Bill Scheduling, designated the General Orders Calendar a Special Orders Calendar to be heard immediately.

### SPECIAL ORDER

H.F. No. 759: A bill for an act relating to elections; changing certain procedures and deadlines related to absentee ballots; changing the municipal election filing deadline; amending Minnesota Statutes 1984, sections 203B.17, subdivision 2; 203B.21, subdivision 3; 204B.35, subdivision 4; and 205.13, subdivision 1.

Mr. Peterson, R.W. moved to amend H.F. No. 759, as amended pursuant to Rule 49, adopted by the Senate April 3, 1985, as follows:

(The text of the amended House File is identical to S.F. No. 231.)

Page 3, line 12, delete "*or her*"

Page 3, line 12, strike the old language before "*a*" and insert "*become*"

Page 3, line 14, strike "*his*" and insert "*an*"

The motion prevailed. So the amendment was adopted.

H.F. No. 759 was read the third time, as amended, and placed on its final passage.

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

The roll was called, and there were yeas 55 and nays 3, as follows:

Those who voted in the affirmative were:

Adkins	Diessner	Kamrath	Nelson	Renneke
Anderson	Dieterich	Knutson	Novak	Samuelson
Berglin	Frank	Kroening	Olson	Schmitz
Bernhagen	Frederick	Kronebusch	Pehler	Sieloff
Bertram	Frederickson	Laidig	Peterson, D.C.	Solon
Brataas	Freeman	Langseth	Peterson, R.W.	Spear
Chmielewski	Hughes	Lantry	Petty	Storm
Dahl	Isackson	Lessard	Pogemiller	Stumpf
Davis	Johnson, D.E.	Luther	Purfeerst	Vega
DeCramer	Johnson, D.J.	McQuaid	Ramstad	Waldorf
Dicklich	Jude	Mehrken	Reichgott	Willet

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

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

### SPECIAL ORDER

S.F. No. 1193: A bill for an act relating to taxation; aggregate removal production; changing the time at which a penalty for failure to file is imposed; imposing a penalty; amending Minnesota Statutes 1984, section 298.75, subdivisions 4, 5, and 6.

Mr. Stumpf moved to amend S.F. No. 1193 as follows:

Pages 1 and 2, delete section 2

Renumber the remaining section

Amend the title as follows:

Page 1, delete line 3

Page 1, line 4, delete "file is imposed" and insert "eliminating time requirement for notifying operator of unpaid tax"

Page 1, line 6, delete ", 5,"

The motion prevailed. So the amendment was adopted.

S.F. No. 1193 was read the third time, as amended, and placed on its final passage.

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

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

Those who voted in the affirmative were:

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

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

### SPECIAL ORDER

H.F. No. 1199: A bill for an act relating to the city of New Brighton;

providing an exception from the New Brighton police civil service system for the chief and deputy chief of police.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 55 and nays 5, as follows:

Those who voted in the affirmative were:

Anderson	Dicklich	Jude	McQuaid	Purfeerst
Belanger	Diessner	Kamrath	Mehrkins	Ramstad
Benson	Dieterich	Knaak	Nelson	Reichgott
Berglin	Frank	Knutson	Novak	Renneke
Bernhagen	Frederick	Kroening	Olson	Samuelson
Bertram	Frederickson	Kronebusch	Pehler	Schmitz
Brataas	Freeman	Laidig	Peterson, C.C.	Sieloff
Chmielewski	Gustafson	Langseth	Peterson, D.C.	Stumpf
Dahl	Isackson	Lantry	Peterson, D.L.	Vega
Davis	Johnson, D.E.	Lessard	Petty	Waldorf
DeCramer	Johnson, D.J.	Luther	Pogemiller	Willet

Those who voted in the negative were:

Adkins	Merriam	Moe, D.M.	Peterson, R.W.	Spear
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So the bill passed and its title was agreed to.

### SUSPENSION OF RULES

Mr. Peterson, R.W. 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. 886 and that the rules of the Senate be so far suspended as to give H.F. No. 886, now on General Orders, its third reading and place it on its final passage. The motion prevailed.

H.F. No. 886: A resolution memorializing the governments of the United States and Sweden that the State of Minnesota adopts the County of Kronoberg as a sister state.

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

The question was taken on the passage of the resolution.

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

Those who voted in the affirmative were:

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

So the resolution passed and its title was agreed to.

### SPECIAL ORDER

H.F. No. 1197: A bill for an act relating to cities of Circle Pines and Lino

Lakes; permitting cities to determine the size of Circle Pines utilities commission.

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

The question was taken on the passage of the bill.

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

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

### SPECIAL ORDER

S.F. No. 335: A bill for an act relating to animals; changing certain duties and powers of the board of animal health; amending Minnesota Statutes 1984, sections 35.03; 35.05; and 35.069.

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

So the bill passed and its title was agreed to.

### SPECIAL ORDER

H.F. No. 1198: A bill for an act relating to local government; authorizing the creation of a youth coordinating board in the city of Minneapolis.

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

So the bill passed and its title was agreed to.

### SPECIAL ORDER

S.F. No. 1244: A bill for an act relating to the city of Burnsville; increasing the total number of on-sale liquor licenses.

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 54 and nays 2, as follows:

Those who voted in the affirmative were:

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

Messrs. Chmielewski and Renneke voted in the negative.

So the bill passed and its title was agreed to.

### SPECIAL ORDER

S.F. No. 901: A bill for an act relating to human services; increasing incentives for enforcing and collecting child support; amending Minnesota Statutes 1984, sections 256.74, subdivisions 1 and 5; 256.87, subdivisions 1a and 3; 257.58, subdivision 1; 518.551, subdivision 7; 518.611, subdivisions 2, 3, 4, and 6, and by adding a subdivision; 518.645; 543.20; repealing Minnesota Statutes 1984, section 257.62, subdivision 4.

Ms. Reichgott moved to amend S.F. No. 901 as follows:

Page 6, after line 34, insert:

"Sec. 6. Minnesota Statutes 1984, section 518.55, is amended by adding a subdivision to read:

*Subd. 3. [NOTICE OF ADDRESS OR RESIDENCE CHANGE.] Every*

*obligor shall notify the court, the obligee, and the public authority responsible for collection, if applicable, of a change of address or residence within 60 days of the address or residence change. Every order for support or maintenance must contain a conspicuous notice of the requirements of this subdivision. The court may waive or modify the requirements of this subdivision by order if necessary to protect the obligor from contact by the obligee."*

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 3, after the semicolon, insert "requiring child support or maintenance obligors to file address or residence changes;"

Page 1, line 6, after the first semicolon, insert "518.55, by adding a subdivision;"

Mr. Sieloff moved to amend the Reichgott amendment to S.F. No. 901 as follows:

Page 1, line 6, delete "*the court*," and after "*obligee*" delete the comma

The motion prevailed. So the amendment to the amendment was adopted.

The question recurred on the Reichgott amendment, as amended.

The motion prevailed. So the amendment, as amended, was adopted.

S.F. No. 901 was read the third time, as amended, and placed on its final passage.

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

The roll was called, and there were yeas 61 and nays 0, as follows:

Those who voted in the affirmative were:

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

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

### SPECIAL ORDER

S.F. No. 1278: A bill for an act relating to financial institutions; providing for the extension of certain loan assumptions; amending Minnesota Statutes 1984, section 47.20, 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 58 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

### SPECIAL ORDER

H.F. No. 1235: A bill for an act relating to state lands; authorizing conveyance of certain state trail lands no longer needed for trails; repealing a prior land conveyance; amending Laws 1981, chapter 190, section 3; repealing Laws 1984, chapter 502, article 13, section 15.

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 61 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

### SPECIAL ORDER

S.F. No. 1347: A bill for an act relating to natural resources; authorizing the commissioner of natural resources to sell certain lands in Koochiching county.

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

The question was taken on the passage of the bill.

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

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

### SPECIAL ORDER

S.F. No. 1353: A bill for an act relating to natural resources; authorizing the commissioner of natural resources to sell certain lands in St. Louis county.

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

So the bill passed and its title was agreed to.

### SPECIAL ORDER

S.F. No. 1203: A bill for an act relating to state departments and agencies; requiring agencies to provide services and materials in languages other than English; proposing coding for new law as Minnesota Statutes, chapter 15B.

Mr. Frederickson moved that S.F. No. 1203, on Special Orders, be stricken and re-referred to the Committee on Finance.

### CALL OF THE SENATE

Mr. Spear imposed a call of the Senate for the balance of the proceedings on S.F. No. 1203. The Sergeant at Arms was instructed to bring in the absent members.

The question recurred on the motion of Mr. Frederickson.

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



prevailed.

The roll was called, and there were yeas 16 and nays 46, as follows:

Those who voted in the affirmative were:

Belanger	Frank	Isackson	Kronebusch	Ramstad
Benson	Frederick	Kamrath	Laidig	Sieloff
Bernhagen	Frederickson	Knutson	Peterson, D.L.	Taylor
Dahl				

Those who voted in the negative were:

Adkins	Diessner	Langseth	Olson	Solon
Anderson	Dieterich	Lantry	Pehler	Spear
Berg	Freeman	Lessard	Peterson, C.C.	Storm
Berglin	Gustafson	Luther	Peterson, D.C.	Stumpf
Bertram	Hughes	McQuaid	Peterson, R.W.	Vega
Brataas	Johnson, D.E.	Mehrkens	Petty	Willet
Chmielewski	Johnson, D.J.	Merriam	Pogemiller	
Davis	Jude	Moe, D.M.	Reichgott	
DeCramer	Knaak	Nelson	Samuelson	
Dicklich	Kroening	Novak	Schmitz	

The motion did not prevail.

Mr. Spear moved to amend S.F. No. 1203 as follows:

Page 3, line 14, delete "*local or public*" and insert "*state or local*"

The motion prevailed. So the amendment was adopted.

S.F. No. 1203 was read the third time, as amended, and placed on its final passage.

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

The roll was called, and there were yeas 44 and nays 18, as follows:

Those who voted in the affirmative were:

Adkins	Freeman	Laidig	Novak	Reichgott
Berglin	Gustafson	Langseth	Olson	Samuelson
Bertram	Hughes	Lantry	Pehler	Solon
Brataas	Johnson, D.E.	Luther	Peterson, C.C.	Spear
Davis	Johnson, D.J.	McQuaid	Peterson, D.C.	Stumpf
DeCramer	Jude	Merriam	Peterson, R.W.	Vega
Dicklich	Knaak	Moe, D.M.	Petty	Waldorf
Diessner	Kroening	Moe, R.D.	Pogemiller	Willet
Dieterich	Kronebusch	Nelson	Ramstad	

Those who voted in the negative were:

Anderson	Bernhagen	Frederickson	Mehrkens	Storm
Belanger	Dahl	Isackson	Peterson, D.L.	Taylor
Benson	Frank	Kamrath	Schmitz	
Berg	Frederick	Lessard	Sieloff	

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

### SPECIAL ORDER

H.F. No. 204: A bill for an act relating to higher education; creating a student advisory council to the higher education coordinating board; requiring, as nearly as possible, one-sixth of the terms of voting members of the

higher education coordinating board to expire each year; amending Minnesota Statutes 1984, section 136A.02, subdivisions 1 and 1a, 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 59 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

### SPECIAL ORDER

H.F. No. 256: A bill for an act relating to motor vehicles; defining terms; regulating van-type motor homes; amending Minnesota Statutes 1984, sections 168.011, subdivision 25, and by adding subdivisions; and 168.27, subdivisions 2 and 10.

Mr. Schmitz moved to amend H.F. No. 256, as amended pursuant to Rule 49, adopted by the Senate April 3, 1985, as follows:

(The text of the amended House File is identical to S.F. No. 406.)

Page 1, line 17, strike "are units designed and used for" and insert "provide"

Page 1, line 18, strike everything after "quarters" and insert "A vehicle is considered to provide temporary living quarters if it."

Page 1, lines 19 and 21, strike "are" and insert "is"

Page 1, line 24, delete "are" and insert "is"

Page 2, line 33, delete "and certified as a motor home"

The motion prevailed. So the amendment was adopted.

H.F. No. 256 was read the third time, as amended, and placed on its final passage.

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

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

Those who voted in the affirmative were:

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

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

### SPECIAL ORDER

S.F. No. 814: A bill for an act relating to education; establishing the state council on vocational technical education; proposing coding for new law in Minnesota Statutes, chapter 136C.

Mr. Peterson, R.W. moved to amend S.F. No. 814 as follows:

Page 1, line 12, after "agency" insert "*in the executive branch*"

Page 1, line 12, delete "*Public Law Number*"

Page 1, line 13, delete "98-524," and insert "*section 112 of*"

Page 1, line 13, after "1984" insert "*, United States Code, Title 20, Section 2320,*"

Page 1, line 14, delete "*such*" and delete "*as may be*"

Page 1, line 17, delete "*the Carl D. Perkins*"

Page 1, delete line 18 and insert "*United States Code, Title 20, Section 2320.*"

Page 1, line 19, delete "*shall be*" and insert "*are*"

Page 1, line 25, delete "*shall*" and insert "*must*"

Page 2, line 1, delete "*the council's*" and insert "*a special*"

Page 2, line 1, after "*account*" insert "*for the council*"

Page 2, line 13, delete "*council shall name an*"

Page 2, delete line 14 and insert "*state board of vocational technical education shall act as fiscal agent for the council and*"

Page 2, delete lines 19 and 20

Page 2, line 21, delete everything before "*The*"

Page 2, after line 26, insert:

"Sec. 2. [TRANSITION.]

*All employees of the council on the effective date of this act are appointed to the civil service of the state and shall become state employees without competitive or qualifying examination. The commissioner of employee relations shall place each employee in the proper job classification. Each em-*

*ployee is appointed at no loss in salary, but no employee may receive an increase in salary until the employee's salary comes within the range for that job classification. The commissioner of employee relations shall establish the compensation range for the executive director of the council. Accumulations of sick leave and vacation benefits earned by the employee shall transfer subject to any maximum allowed in the appropriate state compensation plan."*

Page 2, line 30, delete the second "the"

Page 2, line 31, delete "supplements to" and delete "1984"

Renumber the sections in sequence

The motion prevailed. So the amendment was adopted.

S.F. No. 814 was read the third time, as amended, and placed on its final passage.

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

The roll was called, and there were yeas 62 and nays 0, as follows:

Those who voted in the affirmative were:

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

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

### SPECIAL ORDER

S.F. No. 453: A bill for an act relating to natural resources; reducing fees for camping spaces within a state park and state park motor vehicle permits for physically handicapped persons; amending Minnesota Statutes 1984, section 85.05.

Mr. Frederickson moved to amend S.F. No. 453 as follows:

Page 2, line 15, delete "or"

Page 2, line 17, after the comma, insert "*or a physically handicapped person who possesses a certificate issued under section 169.345, subdivision 3,*"

Page 3, line 26, delete "or"

Page 3, line 28, before the period, insert "*, or a physically handicapped person who possesses a certificate issued under section 169.345, subdivision 3*"

The motion prevailed. So the amendment was adopted.

S.F. No. 453 was read the third time, as amended, and placed on its final passage.

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

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

Those who voted in the affirmative were:

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

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

### SPECIAL ORDER

S.F. No. 1357: A bill for an act relating to contempt of court; providing penalties for failure to file a complete income tax return pursuant to court order; proposing coding for new law in Minnesota Statutes, chapter 588.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 56 and nays 1, as follows:

Those who voted in the affirmative were:

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

Mr. Berg voted in the negative.

So the bill passed and its title was agreed to.

### MOTIONS AND RESOLUTIONS - CONTINUED

Mr. Dicklich moved that S.F. No. 506, No. 61 on General Orders, be stricken and returned to its author. The motion prevailed.

Mr. Dicklich moved that S.F. No. 1330, No. 81 on General Orders, be stricken and returned to its author. The motion prevailed.

Mr. Dicklich moved that S.F. No. 938, No. 90 on General Orders, be

stricken and returned to its author. The motion prevailed.

Mr. Dicklich moved that S.F. No. 1261, No. 133 on General Orders, be stricken and returned to its author. The motion prevailed.

Mr. Dicklich moved that S.F. No. 873, No. 153 on General Orders, be stricken and returned to its author. The motion prevailed.

### RECESS

Mr. Moe, R.D. moved that the Senate do now recess until 7:00 p.m. The motion prevailed.

The hour of 7:00 p.m. having arrived, the President called the Senate to order.

### CALL OF THE SENATE

Mr. Moe, R.D. imposed a call of the Senate. The Sergeant at Arms was instructed to bring in the absent members.

### MOTIONS AND RESOLUTIONS - CONTINUED

Mr. Moe, R.D. moved that S.F. No. 879 be withdrawn from the Committee on Rules and Administration, the committee report from the Committee on Economic Development and Commerce be adopted, and the bill be given a second reading. The motion prevailed. Amendments adopted. Report adopted.

S.F. No. 879 was read the second time.

Mr. Knaak moved that S.F. Nos. 1145 and 1277, on General Orders, be stricken and returned to their author. The motion prevailed.

Mr. Spear moved that S.F. No. 922, No. 23 on General Orders, be stricken and re-referred to the Committee on Judiciary. The motion prevailed.

Mr. Jude moved that S.F. No. 452, No. 71 on General Orders, be stricken and re-referred to the Committee on Public Utilities and State Regulated Industries. The motion prevailed.

### SPECIAL ORDER

S.F. No. 1356: A bill for an act relating to statutes; conforming various laws to judicial decisions of unconstitutionality and suggestions for clarity; amending Minnesota Statutes 1984, sections 3.736, subdivision 3; 65B.44, subdivision 6; 181.13; 429.061, subdivision 1; and 631.09.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 53 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

### SPECIAL ORDER

S.F. No. 1388: A bill for an act relating to courts; clarifying the jurisdiction of the court of appeals to issue writs; amending Minnesota Statutes 1984, section 480A.06, subdivision 3.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 50 and nays 0, as follows:

Those who voted in the affirmative were:

Adkins	Davis	Kroening	Olson	Renneke
Anderson	DeCramer	Kronebusch	Peterson, C.C.	Schmitz
Belanger	Diessner	Laidig	Peterson, D.C.	Sieloff
Benson	Frank	Langseth	Peterson, D.L.	Spear
Berg	Frederickson	Lantry	Peterson, R.W.	Storm
Berglin	Isackson	Luther	Petty	Stumpf
Bernhagen	Johnson, D.E.	McQuaid	Pogemiller	Taylor
Bertram	Jude	Merriam	Purfeerst	Vega
Brataas	Kamrath	Moe, D.M.	Ramstad	Waldorf
Dahl	Knaak	Moe, R.D.	Reichgott	Willet

So the bill passed and its title was agreed to.

### SPECIAL ORDER

S.F. No. 274: A bill for an act relating to civil commitment; requiring a hearing for the continued commitment of mentally retarded persons; amending Minnesota Statutes 1984, section 253B.13, subdivision 2.

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

The question was taken on the passage of the bill.

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

Those who voted in the affirmative were:

Adkins	DeCramer	Kroening	Peterson, C.C.	Sieloff
Anderson	Diessner	Kronebusch	Peterson, D.C.	Spear
Belanger	Dieterich	Laidig	Peterson, D.L.	Storm
Benson	Frank	Langseth	Peterson, R.W.	Stumpf
Berg	Frederick	Lantry	Petty	Taylor
Berglin	Frederickson	Luther	Pogemiller	Waldorf
Bernhagen	Isackson	McQuaid	Purfeerst	Willet
Bertram	Johnson, D.E.	Mehrrens	Ramstad	
Brataas	Jude	Merriam	Reichgott	
Dahl	Kamrath	Moe, R.D.	Renneke	
Davis	Knaak	Olson	Schmitz	

So the bill passed and its title was agreed to.

**SPECIAL ORDER**

H.F. No. 825: A bill for an act relating to occupations and professions; regulating electricians; amending Minnesota Statutes 1984, sections 326.01, subdivisions 2, 5, 6b, and by adding a subdivision; 326.242, subdivisions 1, 2, 3, 6, and 9; 326.243; 326.244, subdivisions 1, 2, and 5; and 326.246.

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

The question was taken on the passage of the bill.

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

Those who voted in the affirmative were:

Adkins	Diessner	Kronebusch	Peterson, C.C.	Sieloff
Anderson	Dieterich	Laidig	Peterson, D.C.	Spear
Belanger	Frank	Langseth	Peterson, D.L.	Storm
Benson	Frederick	Lantry	Peterson, R.W.	Stumpf
Berg	Frederickson	Luther	Petty	Taylor
Berglin	Isackson	McQuaid	Pogemiller	Waldorf
Bernhagen	Johnson, D.E.	Mehrkins	Purfeerst	Willet
Bertram	Jude	Merriam	Ramstad	
Dahl	Kamrath	Moe, D.M.	Reichgott	
Davis	Knaak	Moe, R.D.	Renneke	
DeCramer	Kroening	Olson	Schmitz	

So the bill passed and its title was agreed to.

**SPECIAL ORDER**

H.F. No. 454: A bill for an act relating to motor vehicles; providing defense to charge of operating motor vehicle without valid registration; amending Minnesota Statutes 1984, sections 168.09, by adding a subdivision; and 168.11, by adding a subdivision.

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

The question was taken on the passage of the bill.

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

Those who voted in the affirmative were:

Adkins	DeCramer	Kroening	Pehler	Schmitz
Anderson	Diessner	Kronebusch	Peterson, C.C.	Sieloff
Belanger	Dieterich	Laidig	Peterson, D.C.	Spear
Benson	Frank	Langseth	Peterson, D.L.	Storm
Berg	Frederick	Lantry	Peterson, R.W.	Taylor
Berglin	Frederickson	Luther	Petty	Vega
Bernhagen	Isackson	McQuaid	Pogemiller	Waldorf
Bertram	Johnson, D.E.	Mehrkins	Purfeerst	Willet
Brataas	Jude	Merriam	Ramstad	
Dahl	Kamrath	Moe, R.D.	Reichgott	
Davis	Knaak	Olson	Renneke	

So the bill passed and its title was agreed to.

**SPECIAL ORDER**

S.F. No. 954: A bill for an act relating to veterans; reestablishing the board of governors of the Big Island Veterans Camp; providing for its appointment and duties; transferring certain state land to the board; providing for the pos-



sible disposition of the land by the board; proposing coding for new law in Minnesota Statutes, chapter 197; repealing Minnesota Statutes 1984, sections 197.13; 197.15; 197.16; 197.17; 197.18; and 197.19.

Ms. Olson moved to amend S.F. No. 954 as follows:

Page 3, line 1, delete everything after the comma

Page 3, line 2, delete everything before the period and insert *"or if the camp is not used solely as a camp for and by disabled and other veterans and their families and operated and maintained in compliance with all state, federal, and local laws, the board may dispose of the property at market value as provided in this section. Before disposing of the property, the board shall give Hennepin county park reserve district notice by certified mail of its decision to dispose of the property. Hennepin county park reserve district shall have the option for one year from receipt of the notice to acquire the property by negotiation or to commence eminent domain proceedings pursuant to chapter 117. The district shall obtain legislative approval before purchasing the property"*

Mr. Peterson, R.W. moved to amend the Olson amendment to S.F. No. 954 as follows:

Page 1, line 13, delete everything after *"negotiation"*

Page 1, line 14, delete everything before the period

The question was taken on the adoption of the amendment to the amendment.

The roll was called, and there were yeas 41 and nays 14, as follows:

Those who voted in the affirmative were:

Adkins	Frank	Laidig	Peterson, D.C.	Schmitz
Anderson	Frederick	Lessard	Peterson, D.L.	Storm
Benson	Frederickson	Luther	Peterson, R.W.	Stumpf
Berg	Gustafson	McQuaid	Petty	Taylor
Bernhagen	Isackson	Mehrkens	Purfeerst	Wegscheid
Bertram	Johnson, D.E.	Moe, D.M.	Ramstad	
Chmielewski	Jude	Moe, R.D.	Reichgott	
Dahl	Kamrath	Olson	Renneke	
Diessner	Kronebusch	Pehler	Samuelson	

Those who voted in the negative were:

Berglin	Dieterich	Lantry	Sieloff	Waldorf
DeCramer	Knaak	Merriam	Solon	Willet
Dicklich	Kroening	Pogemiller	Vega	

The motion prevailed. So the amendment to the amendment was adopted.

Mr. Sieloff moved to amend the Olson amendment to S.F. No. 954 as follows:

Page 1, line 14, after the period, insert *"If Hennepin county park reserve district has not purchased the property or commenced eminent domain proceedings to acquire the property within the option period, the board may sell the property to any person or entity pursuant to such terms and conditions as the board may determine"* and delete *"The district shall obtain legislative approval before purchasing the property."*

Page 1, line 13, after "negotiation" insert "or to commence eminent domain proceedings pursuant to chapter 117"

Mr. Peterson, R.W. requested division of the amendment as follows:

First portion:

Page 1, line 14, after the period, insert "If Hennepin county park reserve district has not purchased the property or commenced eminent domain proceedings to acquire the property within the option period, the board may sell the property to any person or entity pursuant to such terms and conditions as the board may determine" and delete "The district shall obtain legislative approval before purchasing the property."

Second portion:

Page 1, line 13, after "negotiation" insert "or to commence eminent domain proceedings pursuant to chapter 117"

The question was taken on the first portion of the Sieloff amendment. The motion did not prevail. So the first portion of the Sieloff amendment was not adopted.

The Chair ruled that the second portion of the Sieloff amendment was not in order because it was an equivalent question of the Peterson, R.W. amendment.

## RECONSIDERATION

Ms. Peterson, D.C. moved that the vote whereby the Peterson, R.W. amendment was adopted, be now reconsidered. The motion prevailed. So the vote was reconsidered.

The question was taken on the adoption of the Peterson, R.W. amendment. The motion did not prevail. So the amendment was not adopted.

Mr. Sieloff moved to amend the Olson amendment to S.F. No. 954 as follows:

Page 1, line 12, delete "one year" and insert "two years"

The motion prevailed. So the amendment to the amendment was adopted.

The question recurred on the Olson amendment, as amended. The motion prevailed. So the amendment, as amended, was adopted.

S.F. No. 954 was read the third time, as amended, and placed on its final passage.

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

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

Those who voted in the affirmative were:

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

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

### SPECIAL ORDER

S.F. No. 1254: A bill for an act relating to occupational safety and health; prescribing duties of employers and of employees; providing for standards; providing for the use of investigative information; providing for enforcement mechanisms; amending Minnesota Statutes 1984, sections 182.651, subdivision 14; 182.653, subdivisions 4a, 4b, 4c, 4e, and 4f; 182.654, subdivision 11; 182.655, subdivisions 10 and 10a; 182.659, by adding a subdivision; 182.661, subdivision 1, and by adding a subdivision; 182.668, subdivision 1; and 182.669, subdivision 1.

Mr. Dicklich moved to amend S.F. No. 1254, as follows:

Page 9, strike lines 29 to 34

Page 13, line 35, after "*hearings*" insert "*for a hearing*"

Page 13, line 35, after "*judge*" insert "*pursuant to the provisions of chapter 14*"

Page 14, line 9, delete "*November 26, 1985*" and insert "*May 25, 1986*"

The motion prevailed. So the amendment was adopted.

S.F. No. 1254 was read the third time, as amended, and placed on its final passage.

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

The roll was called, and there were yeas 61 and nays 2, as follows:

Those who voted in the affirmative were:

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

Messrs. Isackson and Kamrath voted in the negative.

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

### SPECIAL ORDER

S.F. No. 986: A bill for an act relating to workers' compensation; providing for miscellaneous changes; amending Minnesota Statutes 1984, sections 176.021, subdivision 3b; 176.101, subdivision 3e; 176.102, subdivisions 3 and 8; 176.103, subdivision 3; 176.136, by adding a subdivision; 176.138; 176.191, subdivision 3; 176.511, subdivisions 1 and 2; and 176.66, subdivision 10; proposing coding for new law in Minnesota Statutes, chapter 176; repealing Minnesota Statutes 1984, sections 79.22, subdivision 2; 176.081, subdivision 4; and 176.134.

Mr. Chmielewski moved to amend S.F. No. 986 as follows:

Page 2, line 7, delete "*seciton*" and insert "*section*"

Page 3, after line 17, insert:

"Sec. 3. Minnesota Statutes 1984, section 176.101, subdivision 3i, is amended to read:

Subd. 3i. [LAY OFF BECAUSE OF LACK OF WORK OR RELEASED FOR OTHER THAN SEASONAL CONDITIONS.] (a) If an employee accepts a job under subdivision 3e and begins work at that job and is subsequently unemployed at that job because of economic conditions, other than seasonal conditions, the employee shall receive monitoring period compensation pursuant to clause (b). In addition, the employer who was the employer at the time of the injury shall provide rehabilitation consultation by a qualified rehabilitation consultant if the employee remains unemployed for 45 calendar days. The commissioner may waive this rehabilitation consultation if the commissioner deems it appropriate. Further rehabilitation, if deemed appropriate, is governed by section 176.102.

(b) Upon the employee's initial return to work the monitoring period begins to run. If the employee is unemployed for the reason in clause (a), prior to the end of the monitoring period the employee shall receive monitoring period compensation. This compensation shall be paid for the lesser of until (1) the weeks remaining in the monitoring period expires, or (2) the weeks equal to the monitoring period minus the impairment compensation paid to the employee. For purposes of this clause the impairment compensation shall be converted to weeks by dividing the impairment compensation received by the employee by the employee's compensation rate for temporary total disability at the time of the injury the sum of monitoring period compensation paid and impairment compensation paid or payable is equal to the amount of economic recovery compensation that would have been paid if that compensation were payable, whichever occurs first. No monitoring period compensation is payable if the unemployment occurs after the expiration of the monitoring period. Monitoring period compensation is payable at the same intervals and in at the same amount rate as when temporary total compensation ceased, provided that the minimum monitoring period compensation rate is 66 2/3 percent of the weekly wage for permanent partial disability as determined by section 176.011, subdivision 18 and subject to the maximums specified therein.

(c) Compensation under this subdivision shall not be escalated pursuant to section 176.645.

(d) If the employee returns to work and is still receiving monitoring period compensation, this compensation shall cease. Any period remaining in the monitoring period upon this return to work shall be used to determine further benefits if the employee is again unemployed under clause (a).

(e) Upon the employee's return to work pursuant to this section the insurer shall notify the employee of the length of the employee's monitoring period and shall notify the employee of the amount of impairment to be paid and the date of payment.

Sec. 4. Minnesota Statutes 1984, section 176.101, subdivision 3t, is amended to read:

Subd. 3t. [MINIMUM ECONOMIC RECOVERY COMPENSATION.]  
(a) Economic recovery compensation pursuant to this section shall be at least 120 percent of the impairment compensation the employee would receive if that compensation were payable to the employee. ~~The monitoring period shall be at least 120 percent of the weeks during which impairment compensation would be payable if paid weekly.~~

(b) Where an employee has suffered a personal injury for which temporary total compensation is payable but which produces no permanent partial disability and the employee is unable to return to his former employment for medical reasons attributable to the injury, the employee shall receive 26 weeks of economic recovery compensation. This paragraph shall not be used to determine monitoring period compensation under subdivision 3i and shall not be a minimum for determining the amount of compensation when an employee has suffered a permanent partial disability."

Page 8, after line 36, insert:

"Sec. 11. Minnesota Statutes 1984, section 176.191, subdivision 5, is amended to read:

Subd. 5. Where a dispute exists between an employer, insurer, the special compensation fund, the reopened case fund, or the workers' compensation reinsurance association, regarding benefits payable under this chapter, the dispute may be submitted with consent of all interested parties to binding arbitration ~~pursuant to the rules of the American arbitration association~~. The decision of the arbitrator shall be conclusive with respect to all issues presented except as provided in subdivisions 6 and 7. Consent of the employee is not required for submission of a dispute to arbitration pursuant to this section and the employee is not bound by the results of the arbitration. An arbitration award shall not be admissible in any other proceeding under this chapter. Notice of the proceeding shall be given to the employee.

The employee, or any person with material information to the facts to be arbitrated, shall attend the arbitration proceeding if any party to the proceeding deems it necessary. Nothing said by an employee in connection with any arbitration proceeding may be used against the employee in any other proceeding under this chapter. Reasonable expenses of meals, lost wages, and travel of the employee or witnesses in attending shall be reimbursed on a pro rata basis. Arbitration costs shall be paid by the parties, except the employee, on a pro rata basis."

Page 9, line 5, after "for" insert "at least"

Page 10, after line 36, insert:

"Sec. 16. Minnesota Statutes 1984, section 352E.03, is amended to read:

**352E.03 [WORKERS' COMPENSATION COURT OF APPEALS COURTS.]**

Eligibility to receive benefits as herein provided shall be determined by the workers' compensation ~~court of appeals courts~~ in the manner provided by chapter 176. A decision of the workers' compensation court of appeals hereunder may be reviewed by the Minnesota supreme court in the same manner and subject to the same procedures governing all other appeals from the decisions of the workers' compensation court of appeals. *The time limi-*

*tation for commencing an action under this chapter is determined by section 176.151, paragraph (2)."*

Page 11, line 2, delete "79.22, subdivision 2;"

Page 11, after line 3, insert:

"Sec. 18. [EFFECTIVE DATE.]

*Sections 1 to 11 and 13 to 17 are effective the day after final enactment. Section 12 is effective July 1, 1985."*

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 4, delete "subdivision 3b" and insert "by adding a subdivision"

Page 1, line 5, delete "subdivision" and insert "subdivisions" and after "3e" insert ", 3i, and 3t"

Page 1, line 8, after the second semicolon insert "176.191, subdivision 5; and 352E.03;"

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

Mr. Johnson, D.E. moved to amend S.F. No. 986 as follows:

Page 1, after line 25, insert:

"Sec. 2. Minnesota Statutes 1984, section 176.021, is amended by adding a subdivision to read:

*Subd. 9. [EMPLOYER RESPONSIBILITY FOR WELLNESS PROGRAMS.] Accidental injuries incurred while participating in voluntary recreational programs, including but not limited to athletic events, parties and picnics, do not arise out of and in the course of the employment even though the employer pays some or all of the cost thereof. This exclusion shall not apply in the event that the injured employee was ordered or assigned by his employer to participate in the program."*

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 4, delete "subdivision 3b" and insert "by adding subdivisions"

Mr. Frank questioned whether the amendment was germane.

The Chair ruled that the amendment was germane.

The question was taken on the adoption of the amendment. The motion did not prevail. So the amendment was not adopted.

Mr. Merriam moved to amend S.F. No. 986 as follows:

Page 11, line 2, delete "79.22, subdivision 2;"

Amend the title as follows:

Page 1, line 11, delete "79.22, subdivision 2;"

The motion prevailed. So the amendment was adopted.

S.F. No. 986 was read the third time, as amended, and placed on its final passage.

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

The roll was called, and there were yeas 54 and nays 7, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Berglin	Frank	Lantry	Peterson, D.C.	Vega
Dicklich	Kroening			

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

### SPECIAL ORDER

S.F. No. 115: A bill for an act relating to motor vehicles; providing for free license plates for former prisoners of war; amending Minnesota Statutes 1984, section 168.125.

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

So the bill passed and its title was agreed to.

### SPECIAL ORDER

S.F. No. 1140: A bill for an act relating to agriculture; requiring swine herd identification for disease control and meat inspection; proposing coding for new law in Minnesota Statutes, chapter 35.

Mr. Peterson, D.L. moved to amend S.F. No. 1140 as follows:

Page 1, line 15, delete "*the same*" and insert "*a U.S.D.A. sealed*"

Page 1, line 20, after "*section*" insert "*, and*"

The motion prevailed. So the amendment was adopted.

S.F. No. 1140 was read the third time, as amended, and placed on its final passage.

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

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

Those who voted in the affirmative were:

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

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

### SPECIAL ORDER

S.F. No. 1148: A bill for an act relating to commerce; defining "trade secret"; amending Minnesota Statutes 1984, section 325C.01, 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 58 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

### SPECIAL ORDER

S.F. No. 781: A bill for an act relating to juvenile court; clarifying the authority to release juvenile court records; amending Minnesota Statutes 1984, section 260.161, subdivision 2.



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

The question was taken on the passage of the bill.

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

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

### SPECIAL ORDER

H.F. No. 565: 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.

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

The question was taken on the passage of the bill.

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

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

### SPECIAL ORDER

S.F. No. 1374: A bill for an act relating to state parks; establishing lease rate for a certain part of Fort Snelling state park.

Mr. Benson moved to amend S.F. No. 1374 as follows:

Page 1, after line 5, insert:

"Section 1. Minnesota Statutes 1984, section 162.06, subdivision 5, is amended to read:

Subd. 5. [STATE PARK ROAD ACCOUNT.] After deducting for ad-

ministrative costs and for the disaster account and research account as heretofore provided from the remainder of the total sum provided for in subdivision 1, there shall be deducted a sum equal to the three quarters of one percent of the remainder but not to exceed the sum of \$200,000 annually. *This sum shall be used to reimburse up to \$1,000 of the cost incurred by each county and each township in maintaining roads included in the county state-aid highway system that provide access to state parks, the Voyageurs national park, and the metropolitan regional parks.* The remaining sum ~~so deducted~~ shall be set aside in a separate account and shall be used for the establishment, location, relocation, construction, reconstruction and improvement of those roads included in the county state-aid highway system under Minnesota Statutes 1961, Section 162.02, Subdivision 6 which provide access to the headquarters of or the principal parking lot located within a state park. At the request of the commissioner of natural resources the counties wherein such roads are located shall do such work as requested in the same manner as on any other county state-aid highway and shall be reimbursed for such construction, reconstruction or improvements from the amount set aside by this subdivision. Any sums paid to counties in accordance with this subdivision shall reduce the money needs of said counties in the amounts necessary to equalize their status with those counties not receiving such payments. Any balance of the amount so set aside, at the end of each year shall be transferred to the county state-aid highway fund."

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 2, after the semicolon, insert "providing maintenance funds for roads providing access to certain parks;"

Page 1, line 3, before the period, insert "; amending Minnesota Statutes 1984, section 162.06, subdivision 5"

Mr. Frank questioned whether the amendment was germane.

The President ruled that the amendment was not germane.

S.F. No. 1374 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	Knutson	Nelson	Renneke
Anderson	Diessner	Kroening	Novak	Samuelson
Belanger	Dieterich	Kronebusch	Olson	Schmitz
Benson	Frank	Laidig	Pehler	Sieloff
Berg	Frederick	Langseth	Peterson, C.C.	Spear
Berglin	Frederickson	Lantry	Peterson, D.C.	Storm
Bernhagen	Freeman	Lessard	Peterson, D.L.	Stumpf
Bertram	Gustafson	Luther	Peterson, R.W.	Taylor
Brataas	Hughes	McQuaid	Petty	Waldorf
Chmielewski	Johnson, D.E.	Mehrkens	Pogemiller	Wegscheid
Dahl	Jude	Merriam	Purfeerst	Willett
Davis	Kamrath	Moe, D.M.	Ramstad	
DeCramer	Knaak	Moe, R.D.	Reichgott	

So the bill passed and its title was agreed to.

**SPECIAL ORDER**

H.F. No. 907: 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.

Mrs. Lantry moved to amend H.F. No. 907 as follows:

Page 3, line 12, delete "and"

Page 3, line 13, after "courts" insert ", employees of the municipal court, and the second judicial district administrator's office"

The motion prevailed. So the amendment was adopted.

H.F. No. 907 was read the third time, as amended, and placed on its final passage.

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

The roll was called, and there were yeas 58 and nays 2, as follows:

Those who voted in the affirmative were:

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

Messr. Dicklich and Novak voted in the negative.

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

**SPECIAL ORDER**

S.F. No. 83: A bill for an act relating to taxation; providing an exemption from sales tax for the gross receipts from sales of tangible personal property, admission charges, and sales of food, meals, or drinks at certain events sponsored by certain nonprofit organizations; amending Minnesota Statutes 1984, section 297A.25, subdivision 1.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 61 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

### SPECIAL ORDER

S.F. No. 1077: A bill for an act relating to courts; providing for reimbursement of residents required to testify in another state in criminal cases; amending Minnesota Statutes 1984, section 634.06.

Mr. Chmielewski moved to amend S.F. No. 1077 as follows:

Page 1, after line 7, insert:

"Section 1. Minnesota Statutes 1984, section 485.01, is amended to read:

485.01 [APPOINTMENT; BOND; DUTIES.]

A clerk of the district court for each county within the judicial district, *who shall also be known as the court administrator*, shall be appointed by a majority of the district court judges in the district, after consultation with the county court judges of the county court district affected. The clerk, before entering upon the duties of his office, shall give bond to the state, to be approved by the chief judge of the judicial district, in a penal sum of not less than \$1,000 nor more than \$10,000 conditioned for the faithful discharge of his official duties. The bond, with his oath of office, shall be filed for record with the county recorder. The clerk shall perform all duties assigned him by law and by the rules of the court. ~~He~~ *The clerk and all deputies shall not practice as an attorney in the court of which he is the clerk they are employed. The duties, functions, and responsibilities of the clerk of the district court shall be performed by the court administrator.*"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 2, after the semicolon, insert "providing that the clerk of district court shall be known as court administrator; prohibiting deputies from practicing law in their court;"

Page 1, line 5, delete "section" and insert "sections 485.01; and"

Mr. Benson questioned whether the amendment was germane.

The President ruled that the amendment was not germane.

S.F. No. 1077 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 61 and nays 1, as follows:

Those who voted in the affirmative were:

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

Mr. Chmielewski voted in the negative.

So the bill passed and its title was agreed to.

### SPECIAL ORDER

H.F. No. 951: A bill for an act relating to the Minnesota historical society; authorizing local heritage preservation commissions; amending Minnesota Statutes 1984, section 471.193.

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	Knaak	Moe, R.D.	Schmitz
Anderson	Dieterich	Knutson	Olson	Sieloff
Belanger	Frank	Kroening	Pehler	Solon
Benson	Frederick	Kronebusch	Peterson, C.C.	Spear
Berg	Frederickson	Langseth	Peterson, D.C.	Storm
Bernhagen	Freeman	Lantry	Peterson, D.L.	Stumpf
Bertram	Gustafson	Lessard	Peterson, R.W.	Taylor
Brataas	Hughes	Luther	Petty	Vega
Chmielewski	Isackson	McQuaid	Purfeerst	Wegscheid
Dahl	Johnson, D.E.	Mehrrens	Ramstad	Willet
DeCramer	Jude	Merriam	Reichgott	
Dicklich	Kamrath	Moe, D.M.	Renneke	

So the bill passed and its title was agreed to.

### SPECIAL ORDER

S.F. No. 1071: A bill for an act relating to corporations; providing for access by shareholders to certain corporate records; protecting the privacy of individuals; amending Minnesota Statutes 1984, sections 302A.011, by adding a subdivision; and 302A.461, subdivisions 4 and 5, 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 56 and nays 2, as follows:

Those who voted in the affirmative were:

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

Messrs. Merriam and Peterson, C.C. voted in the negative.

So the bill passed and its title was agreed to.

### SPECIAL ORDER

S.F. No. 459: A bill for an act relating to probate; clarifying provisions relating to the award of costs in guardianship and conservatorship proceedings; providing for the payment of reasonable fees and expenses for certain guardians and conservators; amending Minnesota Statutes 1984, section 525.703.

Mr. Merriam moved to amend S.F. No. 459 as follows:

Page 1, after line 9, insert:

#### "PART 1

#### INTESTATE SUCCESSION

##### Section 1. [524.2-101] [INTESTATE ESTATE.]

*Except as provided in sections 525.14 and 525.145, and subject to the allowances provided in section 525.15, and the payment of the expenses of administration, funeral expenses, expenses of last illness, taxes, and debts, any part of the estate of a decedent not effectively disposed of by the decedent's will passes to the decedent's heirs as prescribed in sections 2 to 13.*

##### Sec. 2. [524.2-102] [SHARE OF THE SPOUSE.]

*The intestate share of the surviving spouse is:*

- (1) if there is no surviving issue of the decedent, the entire intestate estate;*
- (2) if there are surviving issue all of whom are issue of the surviving spouse also, the first \$70,000, plus one-half of the balance of the intestate estate;*
- (3) if there are surviving issue one or more of whom are not issue of the surviving spouse, one-half of the intestate estate.*

##### Sec. 3. [524.2-103] [SHARE OF HEIRS OTHER THAN SURVIVING SPOUSE.]

*The part of the intestate estate not passing to the surviving spouse under section 2, or the entire intestate estate if there is no surviving spouse, passes as follows:*

- (1) to the issue of the decedent; any who are children of the decedent take*

*equally and others by representation;*

*(2) if there is no surviving issue, to the parent or parents equally;*

*(3) if there is no surviving issue or parent, to the issue of the parents or either of them by representation;*

*(4) if there is no surviving issue, parent, or issue of a parent, to the next of kin in equal degree, except that when there are two or more collateral kindred in equal degree claiming through different ancestors, those who claim through the nearest ancestor shall take to the exclusion of those claiming through an ancestor more remote.*

**Sec. 4. [524.2-104] [REQUIREMENT THAT HEIR SURVIVE DECEDENT FOR 120 HOURS.]**

*A person who fails to survive the decedent by 120 hours is deemed to have predeceased the decedent for purposes of descent of the homestead, exempt property and intestate succession, and the decedent's heirs are determined accordingly. If the time of death of the decedent or of the person who would otherwise be an heir, or the times of death of both, cannot be determined, and it cannot be established that the person who would otherwise be an heir has survived the decedent by 120 hours, it is deemed that the person failed to survive for the required period. This section is not to be applied where its application would result in a taking of intestate estate by the state under section 5.*

**Sec. 5. [524.2-105] [NO TAKER.]**

*If there is no taker under the provisions of sections 2 to 13, the intestate estate passes to the state.*

**Sec. 6. [524.2-106] [REPRESENTATION.]**

*If representation is called for by sections 2 to 13:*

*(1) In the case of issue of the decedent, the estate is divided into as many shares as there are surviving children of the decedent and deceased children who left issue who survive the decedent, each surviving child receiving one share and the share of each deceased child being divided among his or her issue in the same manner.*

*(2) In the case of issue of the parents of the decedent (other than issue of the decedent) the estate is divided into as many shares as there are surviving heirs in the nearest degree of kinship and deceased persons in the same degree who left issue who survived the decedent, each surviving heir in the nearest degree receiving one share and the share of each deceased person in the same degree being divided among his children, and the descendants of deceased children of him, in the same manner as specified in clause (1).*

**Sec. 7. [524.2-107] [DEGREE OF KINDRED AND KINDRED OF HALF BLOOD.]**

*The degree of kindred shall be computed according to the rules of the civil law. Relatives of the half blood inherit the same share they would inherit if they were of the whole blood.*

**Sec. 8. [524.2-108] [AFTERBORN HEIRS.]**

*Relatives of the decedent conceived before his death but born thereafter*

*inherit as if they had been born in the lifetime of the decedent.*

Sec. 9. [524.2-109] [MEANING OF CHILD AND RELATED TERMS.]

*If, for purposes of intestate succession, a relationship of parent and child must be established to determine succession by, through, or from a person:*

*(1) An adopted person is the child of an adopting parent and not of the natural parents except that adoption of a child by the spouse of a natural parent has no effect on the relationship between the child and that natural parent. If a parent dies and a child is subsequently adopted by a stepparent who is the spouse of a surviving parent, any rights of inheritance of the child or the child's issue from or through the deceased parent of the child which exist at the time of the death of that parent shall not be affected by the adoption.*

*(2) In cases not covered by clause (1), a person born out of wedlock is a child of the mother. That person is also a child of the father, if:*

*(i) the natural parents participated in a marriage ceremony before or after the birth of the child, even though the attempted marriage is void; or*

*(ii) the paternity is established by an adjudication or by acknowledgment, consent, or agreement pursuant to sections 257.51 to 257.74 before the death of the father or is established thereafter by clear and convincing proof, except that the paternity established under this clause is ineffective to qualify the father or his kindred to inherit from or through the child unless the father has openly treated the child as his, and has not refused to support the child.*

Sec. 10. [524.2-111] [DEBTS TO DECEDENT.]

*A debt owed to the decedent is not charged against the intestate share of any person except the debtor. If the debtor fails to survive the decedent, the debt is not taken into account in computing the intestate share of the debtor's issue.*

Sec. 11. [524.2-112] [ALIENAGE.]

*No person is disqualified to take as an heir because he or a person through whom he claims is or has been an alien.*

Sec. 12. [524.2-113] [PERSONS RELATED TO DECEDENT THROUGH TWO LINES.]

*A person who is related to the decedent through two lines of relationship is entitled to only a single share based on the relationship which would entitle such person to the larger share.*

Sec. 13. [524.2-114] [INSTRUMENTS REFERENCING INTESTACY LAWS.]

*If a maker has executed a will or other instrument on or before December 31, 1986, which directs disposition of all or part of the estate pursuant to the intestacy laws of the state of Minnesota, the laws to be applied shall be in accordance with the laws of intestate succession in effect on or before December 31, 1986, unless the will or instrument directs otherwise.*

PART 2

ELECTIVE SHARE OF SURVIVING SPOUSE

Sec. 14. [524.2-201] [RIGHT TO ELECTIVE SHARE.]



(a) *If a married person domiciled in this state dies, the surviving spouse has a right of election to take an elective share of one-third of the augmented estate under the limitations and conditions hereinafter stated.*

(b) *If a married person not domiciled in this state dies, the right, if any, of the surviving spouse to take an elective share in property in this state is governed by the law of the decedent's domicile at death.*

#### Sec. 15. [524.2-202] [AUGMENTED ESTATE.]

*The augmented estate means the estate reduced by funeral and administration expenses, the homestead, family allowances and exemptions, liens, mortgages, and enforceable claims, to which is added the sum of the following amounts:*

(1) *The value of property transferred by the decedent at any time during the marriage, to or for the benefit of any person other than the surviving spouse, to the extent that the decedent did not receive adequate and full consideration in money or money's worth for the transfer, if the transfer is of any of the following types:*

(i) *any transfer under which the decedent retained at the time of death the possession or enjoyment of, or right to income from, the property;*

(ii) *any transfer to the extent that the decedent retained at the time of death a power, either alone or in conjunction with any other person, to revoke or to consume, invade or dispose of the principal for his or her own benefit;*

(iii) *any transfer whereby property is held at the time of decedent's death by decedent and another with right of survivorship;*

(iv) *any transfer made within one year of death of the decedent to the extent that the aggregate transfers to any one donee in the year exceeds \$30,000.*

*Any transfer is excluded if made with the written consent or joinder of the surviving spouse. Property is valued as of the decedent's death except that property given irrevocably to a donee during lifetime of the decedent is valued as of the date the donee came into possession or enjoyment if that occurs first.*

(2) *The value of property owned by the surviving spouse at the decedent's death, plus the value of property transferred by the spouse at any time during marriage to any person other than the decedent which would have been includible in the spouse's augmented estate if the surviving spouse had predeceased the decedent, to the extent the owned or transferred property is derived from the decedent by any means other than testate or intestate succession or as an obligation of support without a full consideration in money or money's worth. For purposes of this clause:*

(i) *Property derived from the decedent includes, but is not limited to, any beneficial interest of the surviving spouse in a trust created by the decedent during the decedent's lifetime, any property appointed to the spouse by the decedent's exercise of a general or special power of appointment also exercisable in favor of others than the spouse, any proceeds of insurance, including accidental death benefits, on the life of the decedent attributable to premiums paid by the decedent, any lump sum immediately payable and the commuted value of the proceeds of annuity contracts under which the de-*

cedent was the primary annuitant attributable to premiums paid by him, the commuted value of amounts payable after the decedent's death under any public or private pension, disability compensation, benefit, or retirement plan, exclusive of the federal social security system, by reason of service performed or disabilities incurred by the decedent, any property held at the time of decedent's death by decedent and the surviving spouse with right of survivorship, any property held by decedent and transferred by contract to the surviving spouse by reason of the decedent's death, and the value of the share of the surviving spouse resulting from rights in community property in this or any other state formerly owned with the decedent.

(ii) Property owned by the spouse at the decedent's death is valued as of the date of death. Property transferred by the spouse is valued at the time the transfer became irrevocable, or at the decedent's death, whichever occurred first. Income earned by included property prior to the decedent's death is not treated as property derived from the decedent.

(iii) Property owned by the surviving spouse as of the decedent's death, or previously transferred by the surviving spouse, is presumed to have been derived from the decedent except to the extent that the surviving spouse establishes that it was derived from another source.

(3) The value of property paid to or for the benefit of any person other than the surviving spouse as a result of the decedent's death if the property is any of the following types:

(i) any proceeds of insurance (including accidental death benefits, but excluding insurance proceeds paid for a bona fide business purpose) on the life of the decedent attributable to premiums paid by the decedent during the marriage,

(ii) any lump sum immediately payable and the commuted value of the proceeds of annuity contracts under which the decedent was the primary annuitant attributable to premiums paid by the decedent during the marriage, or

(iii) the commuted value of amounts payable after the decedent's death under any public or private pension, disability compensation, benefit or retirement plan, exclusive of the federal social security system, by reason of service performed or disabilities incurred by the decedent, attributable to premiums or contributions paid by the decedent during the marriage.

For purposes of this clause, any premiums paid by the decedent's employer, the decedent's partner, a partnership of which the decedent was a member, or the decedent's creditors, are deemed to have been paid by the decedent.

Unless the payer of any such property has received written notice of intention to file a petition for the elective share, the property may be paid, upon request and satisfactory proof of the decedent's death, to the designated beneficiary of the property. Payment made discharges the payer from all claims for the amounts paid. The protection here given does not extend to payments made after the payer has received written notice of intention to file a petition for the elective share. Unless the notice is withdrawn by the surviving spouse, the surviving spouse must concur in any demand for withdrawal if the payer is to be protected under this provision.

*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.*

*Upon petition to the probate court by the designated beneficiary, the court may order that all or part of the property may be paid to the designated beneficiary in such amount and subject to such conditions as are consistent with this section.*

**Sec. 16. [524.2-203] [RIGHT OF ELECTION PERSONAL TO SURVIVING SPOUSE.]**

*The right of election of the surviving spouse may be exercised only during his lifetime by him. In the case of a protected person, the right of election may be exercised only by order of the court in which protective proceedings as to his property are pending, after finding (1) that exercise is necessary to provide adequate support for the protected person during his probable life expectancy and (2) that the election will be consistent with the best interests of the natural bounty of the protected person's affection.*

**Sec. 17. [524.2-204] [WAIVER OF RIGHT TO ELECT AND OF OTHER RIGHTS.]**

*The right of election of a surviving spouse and the rights of the surviving spouse to the homestead, exempt property and family allowance, or any of them, may be waived, wholly or partially, after marriage, by a written contract, agreement or waiver signed by the party waiving after fair disclosure. Unless it provides to the contrary, a waiver of "all rights", or equivalent language, in the property or estate of a spouse is a waiver only of the right to elective share. Any waiver prior to marriage must be made pursuant to section 519.11.*

**Sec. 18. [524.2-205] [PROCEEDING FOR ELECTIVE SHARE; TIME LIMIT.]**

*(a) The surviving spouse may elect to take an elective share in the augmented net estate by filing in the court and mailing or delivering to the personal representative, if any, a petition for the elective share within nine months after the date of death, or within six months after the probate of the decedent's will, whichever limitation last expires. However, nonprobate transfers, described in section 15, clause (1) and clause (3), shall not be included within the augmented estate for the purpose of computing the elective share, if the petition is filed later than nine months after death. The court*

may extend the time for election as it sees fit for cause shown by the surviving spouse before the time for election has expired.

(b) *The surviving spouse shall give notice of the time and place set for hearing to persons interested in the estate and to the distributees and recipients of portions of the augmented net estate whose interests will be affected by the taking of the elective share.*

(c) *The surviving spouse may withdraw his demand for an elective share at any time before entry of an order by the court determining the elective share.*

(d) *After notice and hearing, the court shall determine the amount of the elective share and shall order its payment from the assets of the augmented net estate or by contribution as appears appropriate under section 20. If it appears that a fund or property included in the augmented net estate has not come into the possession of the personal representative, or has been distributed by the personal representative, the court nevertheless shall fix the liability of any person who has any interest in the fund or property or who has possession thereof, whether as trustee or otherwise. The proceeding may be maintained against fewer than all persons against whom relief could be sought, but no person is subject to contribution in any greater amount than he would have been if relief had been secured against all persons subject to contribution.*

(e) *The order or judgment of the court may be enforced as necessary in suit for contribution or payment in other courts of this state or other jurisdictions.*

**Sec. 19. [524.2-206] [EFFECT OF ELECTION ON BENEFITS BY WILL OR STATUTE.]**

*A surviving spouse is entitled to the allowances provided in section 525.15 whether or not he or she elects to take an elective share.*

**Sec. 20. [524.2-207] [CHARGING SPOUSE WITH GIFTS RECEIVED; LIABILITY OF OTHERS FOR BALANCE OF ELECTIVE SHARE.]**

(a) *In the proceeding for an elective share, values included in the augmented estate which pass or have passed to the surviving spouse, or which would have passed to the surviving spouse but were renounced, are applied first to satisfy the elective share and to reduce any contributions due from other recipients of transfers included in the augmented estate. For purposes of this paragraph, the electing spouse's beneficial interest in any life estate or in any trust shall be computed as if worth one-half of the total value of the property subject to the life estate, or of the trust estate, unless higher or lower values for these interests are established by proof.*

(b) *Remaining property of the augmented estate is so applied that liability for the balance of the elective share of the surviving spouse is equitably apportioned among the recipients of the augmented estate in proportion to the value of their interests therein.*

(c) *Only original transferees from, or appointees of, the decedent and their donees, to the extent the donees have the property or its proceeds, are subject to the contribution to make up the elective share of the surviving spouse. A person liable to contribution may choose to give up the property transferred to him or to pay its value as of the time it is considered in computing the augmented estate.*

## PART 3

## SPOUSE AND CHILDREN UNPROVIDED FOR IN WILLS

## Sec. 21. [524.2-301] [OMITTED SPOUSE.]

*(a) If a testator fails to provide by will for his surviving spouse who married the testator after the execution of the will, the omitted spouse shall receive the same share of the estate he would have received if the decedent left no will unless it appears from the will that the omission was intentional or the testator provided for the spouse by transfer outside the will and the intent that the transfer be in lieu of a testamentary provision is shown by statements of the testator or from the amount of the transfer or other evidence.*

*(b) In satisfying a share provided by this section, the devise made by the will abate as provided in section 524.3-902.*

## Sec. 22. [524.2-302] [PRETERMITTED CHILDREN.]

*(a) If a testator fails to provide in his will for any of his children born or adopted after the execution of his will, the omitted child receives a share in the estate equal in value to that which he would have received if the testator had died intestate unless:*

*(1) it appears from the will that the omission was intentional;*

*(2) when the will was executed the testator had one or more children and devised substantially all his estate to the other parent of the omitted child; or*

*(3) the testator provided for the child by transfer outside the will and the intent that the transfer be in lieu of a testamentary provision is shown by statements of the testator or from the amount of the transfer or other evidence.*

*(b) If at the time of execution of the will the testator fails to provide in his will for a living child solely because he believes the child to be dead, the child receives a share in the estate equal in value to that which he would have received if the testator had died intestate.*

*(c) In satisfying a share provided by this section, the devise made by the will abate as provided in section 524.3-902.*

## PART 4

## MISCELLANEOUS PROVISIONS

Sec. 23. Minnesota Statutes 1984, section 257.34, subdivision 1, is amended to read:

Subdivision 1. [ACKNOWLEDGMENT BY PARENTS.] The mother and father of a child born to a mother who was not married to the child's father when the child was conceived nor when the child was born may, in a writing signed by both of them before a notary public, declare and acknowledge under oath that they are the biological parents of the child. The declaration may provide that any such child born to the mother at any time before or up to ten months after the date of execution of the declaration is the biological child of the signatories. Execution of the declaration shall:

*(a) Have the same consequences as an acknowledgement by the signatories of parentage of the child for the purposes of sections 62A.041 and 62C.14, subdivision 5a;*

(b) Be conclusive evidence that the signatories are parents of the child for the purposes of sections 176.111 and 197.09 to 197.11;

(c) Have the same consequences as an acknowledgement by the father of paternity of the child for the purposes of sections 257.57 and 257.66;

(d) When timely filed with the division of vital statistics of the Minnesota department of health as provided in section 259.261, qualify as an affidavit stating the intention of the signatories to retain parental rights as provided in section 259.261 if it contains the information required by section 259.261 or rules promulgated thereunder;

(e) Have the same consequences as a writing declaring paternity of the child for the purposes of section ~~525.172~~ 9; and

(f) Be conclusive evidence that the signatories are parents of the child for the purposes of chapter 573.

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.

Sec. 25. Minnesota Statutes 1984, section 525.145, is amended to read:

525.145 [DESCENT OF HOMESTEAD.]

(1) Where there is a surviving spouse the homestead, including a manufactured home which is the family residence, shall descend free from any testamentary or other disposition thereof to which the spouse has not consented in writing or by election to take under the will as provided by law, as follows:

(a) If there be no surviving child or issue of any deceased child, to the spouse;

(b) If there be children or issue of deceased children surviving, then to the spouse for the term of the spouse's natural life and the remainder in equal shares to the children and the issue of deceased children by right of representation.

(2) Where there is no surviving spouse and the homestead has not been disposed of by will it shall descend as other real estate.

(3) Where the homestead passes by descent or will to the spouse or children or issue of deceased children, it shall be exempt from all debts which were not valid charges thereon at the time of decedent's death except that the homestead shall be subject to a claim filed pursuant to section 246.53 for state hospital care or 256B.15 for medical assistance benefits. If the homestead passes to a person other than a spouse or child or issue of a deceased child, it shall be subject to the payment of the items mentioned in section ~~525.16~~ 1. No lien or other charge against any homestead which is so exempted shall be enforced in the probate court, but the claimant may enforce the lien or charge by an appropriate action in the district court."

Page 2, after line 36, insert:

“Sec. 27. [REPEALER.]

*Minnesota Statutes 1984, sections 525.16; 525.17; 525.171; 525.172; 525.173; 525.20; 525.201; 525.202; 525.212; 525.213; 525.214; 525.215; and 525.216 are repealed.*

Sec. 28. [EFFECTIVE DATE.]

*Sections 1 to 25 and 27 are effective for estates of decedents dying after December 31, 1986.”*

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 2, after the semicolon insert “adopting provisions of the uniform probate code and clarifying laws relating to intestate succession, spouse’s elective share, and omitted spouses and children;”

Page 1, line 7, delete “section” and insert “sections 257.34, subdivision 1; 525.13; 525.145; and”

Page 1, line 7, before the period insert “; proposing coding for new law in Minnesota Statutes, chapter 524; 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”

The motion prevailed. So the amendment was adopted.

S.F. No. 459 was read the third time, as amended, and placed on its final passage.

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

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

Those who voted in the affirmative were:

Adkins	Diessner	Knaak	Moe, R.D.	Reichgott
Anderson	Frank	Knutson	Nelson	Renneke
Belanger	Frederick	Kroening	Olson	Samuelson
Benson	Frederickson	Kronebusch	Pehler	Schmitz
Berg	Freeman	Laidig	Peterson, C.C.	Sieloff
Berglin	Gustafson	Langseth	Peterson, D.C.	Spear
Bernhagen	Hughes	Lantry	Peterson, D.L.	Storm
Bertram	Isackson	Lessard	Peterson, R.W.	Stumpf
Brataas	Johnson, D.E.	McQuaid	Petty	Taylor
Dahl	Jude	Mehrkins	Pogemiller	Willer
DeCramer	Kamrath	Merriam	Ramstad	

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

### SPECIAL ORDER

S.F. No. 1214: A bill for an act relating to negligence; clarifying immunity from liability for volunteer firefighters who render assistance at scenes of emergency; amending Minnesota Statutes 1984, section 604.05, subdivision 2.

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

The question was taken on the passage of the bill.

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

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

### SPECIAL ORDER

H.F. No. 1382: A bill for an act relating to courts; providing for transcript fees in the second judicial district; amending Minnesota Statutes 1984, section 486.06; proposing coding for new law in Minnesota Statutes, chapter 486.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 42 and nays 8, as follows:

Those who voted in the affirmative were:

Adkins	Frederick	Knutson	Moe, R.D.	Renneke
Anderson	Frederickson	Kronebusch	Olson	Schmitz
Belanger	Freeman	Laidig	Peterson, D.C.	Sieloff
Berg	Gustafson	Langseth	Peterson, D.L.	Spear
Berglin	Hughes	Lantry	Peterson, R.W.	Storm
Bernhagen	Isackson	Lessard	Petty	Taylor
DeCramer	Jude	Luther	Purfeerst	
Dicklich	Kamrath	McQuaid	Ramstad	
Diessner	Knaak	Mehrrens	Reichgott	

Those who voted in the negative were:

Bertram	Dahl	Merriam	Stumpf	Willet
Chmielewski	Frank	Pehler		

So the bill passed and its title was agreed to.

### SPECIAL ORDER

S.F. No. 927: A bill for an act relating to watercraft; exempting certain boats from watercraft licensing requirements; amending Minnesota Statutes 1984, section 361.03, subdivision 12.

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

The question was taken on the passage of the bill.

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

Those who voted in the affirmative were:



Adkins	Diessner	Kroening	Olson	Schmitz
Anderson	Frank	Kronebusch	Pehler	Sieloff
Belanger	Frederick	Laidig	Peterson, D.C.	Spear
Berg	Frederickson	Langseth	Peterson, D.L.	Storm
Berglin	Freeman	Lantry	Peterson, R.W.	Stumpf
Bernhagen	Gustafson	Lessard	Petty	Taylor
Bertram	Isackson	Luther	Purfeerst	Willet
Chmielewski	Jude	McQuaid	Ramstad	
Dahl	Kamrath	Mehrkins	Reichgott	
DeCramer	Knaak	Merriam	Renneke	
Dicklich	Knutson	Moe, R.D.	Samuelson	

So the bill passed and its title was agreed to.

### SPECIAL ORDER

S.F. No. 1238: A bill for an act relating to intoxicating liquor; authorizing the issuance of temporary on-sale intoxicating liquor licenses; amending Minnesota Statutes 1984, section 340.11, by adding a subdivision.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 46 and nays 4, as follows:

Those who voted in the affirmative were:

Adkins	Frank	Kronebusch	Pehler	Spear
Anderson	Frederick	Laidig	Peterson, D.C.	Storm
Belanger	Frederickson	Langseth	Peterson, D.L.	Stumpf
Benson	Gustafson	Lantry	Peterson, R.W.	Taylor
Berglin	Hughes	Lessard	Petty	Wegscheid
Bernhagen	Isackson	Luther	Purfeerst	Willet
Bertram	Jude	McQuaid	Ramstad	
Dahl	Kamrath	Mehrkins	Reichgott	
DeCramer	Knutson	Merriam	Schmitz	
Diessner	Kroening	Moe, R.D.	Sieloff	

Messrs. Chmielewski, Freeman, Knaak and Renneke voted in the negative.

So the bill passed and its title was agreed to.

### SPECIAL ORDER

S.F. No. 1329: A bill for an act relating to taxation; clarifying definitions for sales and use tax; clarifying exemptions; providing an exemption for certain mailing materials used for advertising purposes; imposing civil and criminal penalties for underreporting or failing to report motor vehicle excise tax; repealing certain refund procedures; amending Minnesota Statutes 1984, sections 297A.01, subdivision 11; 297A.041; 297A.25, subdivision 1; 297B.10; and 297B.11; repealing Minnesota Statutes 1984, section 297A.35, subdivision 3.

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

The question was taken on the passage of the bill.

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

Those who voted in the affirmative were:

Adkins	Diessner	Knutson	Olson	Schmitz
Anderson	Frank	Kroening	Pehler	Sieloff
Belanger	Frederick	Kronebusch	Peterson, D.C.	Spear
Benson	Frederickson	Laidig	Peterson, D.L.	Storm
Berg	Freeman	Langseth	Peterson, R.W.	Stumpf
Berglin	Gustafson	Lantry	Petty	Taylor
Bernhagen	Hughes	Lessard	Pogemiller	Vega
Bertram	Isackson	Luther	Purfeerst	Wegscheid
Chmielewski	Jude	McQuaid	Reichgott	
Dahl	Kamrath	Merriam	Renneke	
DeCramer	Knaak	Moe, R.D.	Samuelson	

So the bill passed and its title was agreed to.

### SPECIAL ORDER

S.F. No. 661: A bill for an act relating to commerce; regulating membership camping; prescribing the powers and duties of the commissioner; proposing coding for new law as Minnesota Statutes, chapter 82A.

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

So the bill passed and its title was agreed to.

### MOTIONS AND RESOLUTIONS - CONTINUED

Mr. Pogemiller moved that S.F. No. 801, No. 222 on General Orders, be stricken and re-referred to the Committee on Taxes and Tax Laws. The motion prevailed.

### MEMBERS EXCUSED

Mr. Freeman was excused from the Session of today from 4:45 to 5:00 p.m. and from 7:30 to 10:00 p.m. Mr. Johnson, D.J. was excused from the Session of today from 3:30 to 11:30 p.m. Mr. Solon was excused from the Session of today from 9:00 to 11:30 p.m. Mr. Hughes was excused from the Session of today from 7:30 to 11:00 p.m.

The following members were excused from today's Session for brief periods of time: Messrs. Lessard, Purfeerst, Novak, Ramstad, Waldorf and Wegscheid.

**ADJOURNMENT**

Mr. Moe, R.D. moved that the Senate do now adjourn until 12:00 noon, Thursday, April 25, 1985. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate